

HOUSE OF REPRESENTATIVES.

SATURDAY, January 22, 1921.

The House met at 12 o'clock noon.

Rev. James Shera Montgomery, D. D., pastor of Calvary Methodist Church, Washington, D. C., offered the following prayer:

Almighty God, our Heavenly Father, lift upon us all the light of Thy holy countenance. Bless each life with a measure of a great peace and grant unto all of us the spirit of faith, faith in our country, faith in our fellow men, and faith in Divine Providence, which is above all and over all. Amen.

The Journal of the proceedings of yesterday was read and approved.

REFERENCE OF H. R. 15793 (PURCHASE OF FUEL YARDS, ETC.).

Mr. RHODES. Mr. Speaker, I ask unanimous consent that the bill H. R. 15793, which was erroneously referred to the Committee on Public Buildings and Grounds, be rereferred to the Committee on Mines and Mining.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the bill, which the Clerk will report by title, and which was referred to the Committee on Public Buildings and Grounds, be rereferred to the Committee on Mines and Mining.

The Clerk read the title, as follows:

A bill (H. R. 15793) authorizing the Secretary of the Interior to purchase necessary lands for use of the Government fuel yards, for the erection of a garage, and payment by check by branches of the Federal Government for fuel furnished.

The SPEAKER. The Chair understands the chairman of the Committee on Public Buildings and Grounds consents to this?

Mr. RHODES. He does, Mr. Speaker. I spoke to him personally about the matter yesterday.

Mr. GARNER. Mr. Speaker, let me ask the gentleman if he spoke to any of the minority members of the Committee on Public Buildings and Grounds?

Mr. RHODES. I will say that I failed to do that.

Mr. GARNER. It occurs to me that the gentleman ought to consult some Members on this side of the House before undertaking to get a transfer of this bill. While you have the power on that committee to get it done by vote, you ought to consult some one here in reference to the matter.

Mr. WINGO. If the gentleman will permit me, while I agree with the general proposition laid down, this subject has been before the Committee on Mines and Mining since 1915, and I think that reference to that committee is proper. I agree with the gentleman's proposition, but I do not think there is any question in this case but that this is the proper committee to which to refer the bill.

Mr. GARNER. If the gentleman from Arkansas [Mr. WINGO] insists he has investigated this and thinks it should be referred to the Committee on Mines and Mining, I shall not object.

Mr. WINGO. There is no question about it.

Mr. GARNER. But I think anyone before asking unanimous consent ought to consult somebody on this side.

Mr. WINGO. I agree with the gentleman.

The SPEAKER. Is there objection?

Mr. GARD. Reserving the right to object, what is the subject of the legislation?

Mr. RHODES. Mr. Speaker, the bill merely provides for the acquisition by the Government of the ground by purchase on which the present fuel yards are situated. In 1918 the Government acquired a 5-year lease on a plot of ground in this city to be known as the Government fuel yards, and since that time the Government has been operating the fuel yards, as the place where all the fuel in the District of Columbia is assembled, and from which the fuel is distributed to the various governmental agencies.

Mr. GARD. Has that been under the jurisdiction of the Committee on Mines and Mining?

Mr. RHODES. The original legislation was initiated by Dr. Foster, who was chairman of the Committee on Mines and Mining in 1917. I have spoken to the parliamentarian and also to the chairman of the Committee on Public Buildings and Grounds, the committee to which it was referred, and all to whom I have spoken agree that the bill was erroneously referred.

Mr. BLANTON. Mr. Speaker, I ask for the regular order.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. RHODES]? [After a pause.] The Chair hears none.

MEMORIAL EXERCISES ON LATE REPRESENTATIVE GARLAND.

Mr. BUTLER. Mr. Speaker, I ask unanimous consent of the House that Sunday, February 6, 1921, may be set apart for addresses on the life, character, and public services of the late Hon. MAHLON M. GARLAND, Representative at large from the State of Pennsylvania.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that Sunday, February 6, be set aside for memorial exercises on the late Representative GARLAND. Is there objection? [After a pause.] The Chair hears none.

CONFERENCE ON DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. DAVIS of Minnesota. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 15130, being the District appropriation bill, disagree to all of the Senate amendments, and agree to the conference requested by the Senate.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to take from the Speaker's table H. R. 15130, disagree to all the Senate amendments therein, and agree to the conference asked for on the bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 15130) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1922, and for other purposes.

Mr. GARRETT and Mr. MAPES rose.

The SPEAKER. The Chair will recognize first the gentleman from Michigan [Mr. MAPES].

Mr. MAPES. Mr. Speaker, reserving the right to object, this is the first big appropriation bill, I believe, to be sent to conference since the adoption of the new rule increasing the Committee on Appropriations and limiting the power of the conferees from that committee to accept Senate amendments to appropriation bills that would have been subject to a point of order if offered in the House of Representatives, on account of being legislation on an appropriation bill.

This bill contains several Senate amendments in the nature of legislation which have been considered by the Committee on the District of Columbia, and some of them have been passed upon by the House of Representatives itself. In fact, one of the Senate amendments to the bill, or the substance of it, is now in conference between the two Houses, represented by the legislative committee. I have no desire to object to the unanimous-consent request, because I think the conferees to be appointed by the House are in accord with the action that the House has heretofore taken, but to protect the rights of the House and of the legislative committee I would like to have an interpretation of the new rule by the Speaker. The rule provides that:

No amendment of the Senate to a general appropriation bill which would be in violation of the provisions of clause 2 of Rule XXI, if said amendment had originated in the House, nor any amendment of the Senate providing an appropriation upon any bill other than the general appropriation bill, shall be agreed to by the managers on the part of the House unless specific authority to agree to such amendment shall be first given by the House by separate vote on every such amendment.

My question, Mr. Speaker, is, When should those who are interested in the Senate amendments raise the point of order to protect their rights? Can it be done after the conferees make their report or should it be done now before the bill goes to conference?

The SPEAKER. The Chair understands that the gentleman from Tennessee [Mr. GARRETT] also has an inquiry concerning that matter, and the Chair will recognize him also.

Mr. GARRETT. Mr. Speaker, still reserving the right to object, I agree with the gentleman from Michigan that it is quite important at this time that we should have a ruling upon this new rule, for the benefit of the conferees in particular, in order that they may know their powers in conference, and, of course, for the benefit of the Members generally. And I have reduced to writing a parliamentary inquiry which I think will, when answered, give an interpretation that will serve as a guide to the conferees. And if I may, I should like to submit that inquiry at this time, a copy of which is at the desk of the Clerk.

The SPEAKER. The Chair will be glad to consider it. The Clerk will report the inquiry.

The Clerk read as follows:

Mr. GARRETT submits the following parliamentary inquiry: Section 2 of Rule XX provides:

"Section 2, Rule XX:

"2. No amendment of the Senate to a general appropriation bill which would be in violation of the provisions of clause 2 of Rule XXI, if said amendment had originated in the House, nor any amendment of the Senate providing an appropriation upon any bill other than a general appropriation bill, shall be agreed to by the managers on the part of the House unless specific authority to agree to such amendment shall be first given by the House by a separate vote on every such amendment."

If the House by unanimous consent or by special resolution from the Committee on Rules disagrees to all Senate amendments en bloc and asks for or agrees to a conference with the Senate, and there are Senate amendments obnoxious to the rule above quoted and the conferees without instructions from the House recede from their disagreement and agree to such amendments, will the conference report so including such illegal amendments be subject to a point of order, as in cases where conferees exceed their authority and include in their report matters not in disagreement?

Mr. DAVIS of Minnesota. Mr. Speaker, after listening to the statement of points made by the gentleman from Tennessee [Mr. GARRETT] and by the gentleman from Michigan [Mr. MAPES], I will state briefly what conclusion I had come to, and I believe the conclusion of the other conferees who will be appointed with me, before hearing the statement of the gentleman from Tennessee. It was this, that I, as a conferee—and I think my brother conferees will agree with me—do not propose under this new rule to agree to any matter that would be subject to a point of order if the matter had been put on in the House. In other words, anything in violation of clause 2 of Rule XXI we expected—or I did—to absolutely not consider at all in the conference, and if the Senate persisted in that, to come back to the House on each one of these amendments and get the consent of the House by a vote thereon.

That was the conclusion that I came to before these questions were raised. I am aware of the position that I and other conferees on appropriation bills are placed in, and I am glad the gentlemen raised the point, and I would be very glad to have the Speaker make a ruling now to govern me, although I am inclined to think that the statement I have made will, under the rule, be virtually the decision that will be rendered. The Chair will excuse me for forecasting or prejudging what the decision may be, but I hope that will be the decision. But I have stated the position I would have taken in case no decision was made on the subject.

Mr. GARRETT. Mr. Speaker, I do not know that I have any desire to suggest any particular ruling. My purpose in presenting the inquiry was merely that we might have a ruling for our guidance, and particularly for the guidance of the conferees.

Of course, this is the only new part of the rule. All of these matters that we have been dealing with on the appropriation bills that have come up before have been in accordance with the rules as they have existed heretofore. But this part now is new, so far as the House is concerned, and it is going to be very interesting to watch the working out of it. Probably if a ruling is made, as suggested by the gentleman from Minnesota [Mr. DAVIS]—and, so far as I am individually concerned, I am inclined to agree with him and do agree with him that that is the correct ruling—that probably presents a situation in which we have prevented what is called “a full and free conference.” In other words, the conferees are to a certain degree instructed in advance.

But I do not care to go into any argument as to what should be the ruling. I have simply submitted my inquiry in order that we may have a ruling.

The SPEAKER. This rule is a radical departure from the custom of the House in the past, and it is, as the gentleman from Tennessee [Mr. GARRETT] and the gentleman from Michigan [Mr. MAPES] suggest, important that the House should know in advance what the ruling of the Chair would be, and both gentlemen were courteous enough to suggest to the Chair in advance that they wished to raise the question, and the Chair has been considering it.

What the Chair wishes to do, as every Member of the House will wish, is to adopt the system which will best further the business of the House. It is very obvious that this new rule is going to interfere with the past methods of conferences, because as the gentleman from Tennessee suggests, the House conferees do not go into “a free conference”; they are hampered by this rule. And what the Senate conferees will do it is impossible to predict.

At the same time the Chair, of course, is bound as far as practicable, to give the interpretation which the Chair thinks was intended by the House in adopting the rule, and also to facilitate the transaction of business. It might be construed, and I suppose this is the point which the gentlemen both wish to have settled, that when the House by unanimous consent disagrees to the Senate amendments and sends the bill to conference, the House thereby waives the provisions of the new rule, which says that there shall be a separate vote upon each question which is subject to the rule. But the Chair thinks that certainly would be a strained interpretation, and one which, at first, at any rate, ought not to be adopted. We ought at least to have some experience under the rule, and let it develop and see what difficulties arise; and, at any rate, at the outset we ought to more strictly follow the specific language of

the rule, which is that nothing “shall be agreed to by the managers on the part of the House unless specific authority to agree to such amendment shall be first given by the House by a separate vote on every such amendment.”

The Chair does not imagine that that means in the future that there will necessarily be a separate vote, after the conferees have reported, on every such provision. The Chair thinks very likely by such agreement the House could, if it desired to, have unanimous consent and agree to them en bloc. But the Chair thinks that now the ruling ought to be that if the conferees should agree to an item which was repugnant to this rule, it would so far invalidate the conference report that anybody could make the point of order against it. Therefore, disagreeing by unanimous consent to the Senate amendments and agreeing to the conference asked for by the Senate leaves it subject to a point of order, if the conferees in any respect agree to an item which is obnoxious to the rule. Does that answer the gentleman's question?

Mr. GARRETT. I think so.

Mr. BUTLER. Mr. Speaker, may I ask the Chair a question?

The SPEAKER. Certainly.

Mr. BUTLER. If a measure goes to conference by unanimous consent the House does not waive the privilege it may have hereafter?

The SPEAKER. That is the way the Chair will rule now. Of course this is a new question, and the Chair reserves the liberty at any time to change its ruling.

Mr. ELSTON. Mr. Speaker, is it within the meaning of the Speaker's announcement that after the conference has begun, and consideration is had of some item that would be subject to a point of order in the House, thereupon the House conferees can come back to the House in the interim and obtain instructions, and then continue the conference, or that the whole matter should be presented when the conference report is finished and presented to the House?

The SPEAKER. The Chair thinks the conferees can come back and report at any time.

Mr. HAUGEN. Mr. Speaker, I am not clear as to the Speaker's ruling. Are we to understand that if the conferees bring back an item which is subject to a point of order, it must be given consideration by the House, and that the point of order will lie in the House?

The SPEAKER. That is the ruling.

Mr. BUTLER. We do not waive anything here.

Mr. MOORE of Virginia. We are not to understand, are we, that the conferees would be precluded from bringing back one item or a number of items with a definite recommendation? That would not be a report of either agreement or disagreement.

The SPEAKER. The Chair is not certain about that, whether they could bring it with a recommendation.

Mr. MOORE of Virginia. It seems to me that if the conferees, in a given case, should come in with a large number of items that had been attached to a bill by the Senate, without any recommendation, the House would be without any guide as to such views as the conferees might have reached during the conference.

The SPEAKER. The Chair would prefer not to rule upon that issue now.

Mr. GARRETT. It seems to me that under the ruling of the Chair the conferees could not bring in a conference report containing recommendations as to matters obnoxious to the rule. Of course, as legislators they could address themselves to the House, suggesting what action they thought the House ought to take upon any given proposition; but if they are permitted to recommend to the House in their conference report matter which is obnoxious to the rule, it seems to me, it would be the very thing which the Chair has just ruled can not be done.

The SPEAKER. The Chair is not aware that the conferees, in the report which they present, have any right to give their reasons. They must recommend either agreement or disagreement, but in the debate they can state their reasons, and can influence the House in that way.

Mr. MOORE of Virginia. Mr. Speaker, with deference to the gentleman from Tennessee [Mr. GARRETT], who knows more about these matters than any new Member can hope to know, it strikes me that the conferees should have full latitude to suggest, and that it will be essential to orderly and prompt procedure in the House, that in many instances they should suggest not simply as individuals but in the conference report itself the views they may entertain. That would not be the report of an agreement or of a disagreement. It would only be an independent statement of the views that they believe should control the action of the House.

Mr. WINGO. Does not the gentleman think that the first suggestion of the Speaker is the proper one, that he confine him-

self to a broad generalization, and not preclude himself or the House by an abstract ruling upon any detail? I anticipate that we are going to have some practical difficulties arise which must be measured by the rule, and, as suggested by the Speaker, it might be well to avoid abstract generalizations on matters of detail, and be content with the general rule which the Speaker has laid down, which I think is correct.

Mr. MOORE of Virginia. I do not urge that my inquiry shall now be formally answered. I am only stating a thought that I think sooner or later will have to be dealt with here if we are to go along as speedily and satisfactorily as we should in the transaction of business.

Mr. BANKHEAD. Mr. Speaker, just one further inquiry in connection with this same question. The matter of procedure is, of course, of extreme importance. Assume that the Senate should put on two obnoxious amendments which were contrary to the rule. One of those amendments might meet with the unanimous approval of the House. As I understand it, the objection to one of the amendments would not invalidate both, in the event that specific objection was not made to both amendments.

Mr. BUTLER. The rule is positive.

The SPEAKER. The Chair is not sure that he understands the gentleman.

Mr. BANKHEAD. Assuming that the conferees agree to two amendments.

The SPEAKER. The Chair understood the gentleman's statement, but did not understand his conclusion.

Mr. BANKHEAD. If a point of order were not made to the first amendment, assuming that it might meet with the approval of the House, but that the second amendment was obnoxious to some Member of the House and obnoxious to the rule, and the Member made a point of order against the second amendment, that would not invalidate the first amendment unless a specific point of order was made against it, would it?

Mr. BUTLER. It would all go out.

Mr. BANKHEAD. Or would it all go out automatically?

The SPEAKER. The Chair thinks the whole conference report could be invalidated by a point of order against one item.

Mr. BUTLER. It would all go back.

Mr. HICKS. Do I understand the ruling to be that if there is any objectionable feature in the conference report, a point of order made against one item will invalidate the whole conference report?

Mr. GARRETT. It does that now.

Mr. BUTLER. It will all go back.

The SPEAKER. The Chair thinks it would.

The gentleman from Missouri asks unanimous consent to disagree to all the Senate amendments and agree to the conference asked by the Senate. Is there objection?

Mr. HAUGEN. Mr. Speaker, for the present I object.

Mr. MONDELL. If the gentleman from Iowa [Mr. HAUGEN] will allow me, it seems to me the Speaker's ruling has made the matter very clear. Will the Speaker allow me just a moment on the question raised by the gentleman from Virginia [Mr. MOORE]. It seems to me that under the Speaker's ruling no conference committee will bring in a conference report containing provision repugnant to the rule of the House, because the inevitable result would be the making and the sustaining of a point of order against the entire report.

It would be idle and useless for any committee of the House to bring in a conference report subject to a point of order. That being true, it seems to me that the practice likely to be followed is this: When the conferees on the part of the House find the conferees on the part of the Senate insistent on an item that is obnoxious to the rule the conferees on the part of the House would report to the House a disagreement, whereupon the matter would be settled under the rule as to whether or no the conferees were to be authorized to agree to the provision. They would then go back and follow the instructions of the House, whatever they might be. But certainly conferees on the part of the House would not, in view of the very clear decision of the Chair, do the idle and fruitless thing of bringing in a conference report that would be subject to a point of order.

Mr. GARRETT. Will the gentleman yield to me?

Mr. MONDELL. If I have the floor.

Mr. GARRETT. I want to suggest, if I may, for the consideration of the gentleman from Wyoming and other gentlemen, particularly those charged with the responsibility of arranging the order of business, that this particular measure which is before us originated in the House. It passed the Senate, and immediately upon its passage in the Senate it was moved that a conference be asked with the House. I have looked at the Record to see the form of that motion. It is my recollection that the usual form of the motion, whichever

body it is made in, is to insist on its amendments or disagreement and ask for a conference. But I want to call attention to the practice that has become very frequent of late years for the Senate to take a House bill, put amendments on it, and immediately ask for a conference without having the bill come back to the House to take such action as the House may see fit on the amendments.

That was not formerly the practice. My recollection is that probably the first measure in which that practice was adopted was the Dingley tariff bill. I was not a Member of Congress at that time. After the Dingley tariff bill had passed the Senate with Senate amendments, immediately, without its coming back to the House, it was moved to insist on the Senate amendments and ask for a conference with the House. I do not think it occurred again until the Payne tariff bill passed the Senate. Then the same policy was adopted. Since that time in recent years it has become almost the custom. The effect of that is it necessitates the House acting first on the conference report. A conference report comes up for action first in the body which agrees to the conference and not in the body that has asked for it.

It has occurred to me that possibly in working under this new rule that it may be desirable to bring about a change in that practice so that the House bill can be returned with Senate amendments and let the House determine what it is going to do with the Senate amendments in advance of any conference being requested or agreed to.

Mr. MONDELL. Under the decision of the Chair to the effect that a conference report being presented that is repugnant to the rule, the entire conference report fails if the point of order is made, I assume, and I think the gentleman from Tennessee will agree with me that no committee of conference would bring back a conference report clearly subject to a point of order. In other words, when they meet, a Senate amendment raising an issue or question between the two Houses which would make a conference report subject to a point of order, the Senate insisting on its amendment, the conferees would come to the House for a decision on the amendment before they agreed to it.

Mr. GARRETT. In other words, I take it that they would report a disagreement.

Mr. MONDELL. They would report a disagreement.

Mr. GARRETT. I think the gentleman is correct about that, and the remarks I made were not intended to suggest anything different. In fact, they are not related to that subject. I was calling attention to what I thought might become a necessary development under the operation of this new rule, namely, to stop the practice of the Senate asking for a conference without first letting the bill with the amendments come back to the House for such action as the House might take upon those amendments.

Mr. HAUGEN. Mr. Speaker, the gentleman from Wyoming has made it clear that any Senate amendment reported back shall be made in order by the House. It matters not what the amendment may be—it may be anything under the sun. The gentleman from Tennessee has referred to the Dingley tariff bill. If the Senate should attach the Dingley tariff bill as an amendment to a bill, the House would have to give it consideration. That is the very thing sought to overcome by the amendment to the rule referred to. Talk about autocratic power and the usurpation of power! It seems to me that if the rule is to be construed as indicated the House would surrender all of its power in its rights to initiate certain legislation and all of its functions to the other body.

Mr. MONDELL. It does not seem to me that the action of a majority of the House of Representatives can be properly or accurately referred to as autocratic. The rule has been adopted. I am simply referring to it, and the rule is to the effect that if the Senate insists on an amendment subject to a point of order, the House must pass upon that matter before the conferees can accept it. What is fairer than that? That is presenting the matter to the House; that is the rule.

Mr. HAUGEN. The purpose of the rule was that amendments made by the Senate not in order in the House should not be in order, and that a point of order would lie against any Senate amendment not in order in the House. Now, as I understand, its interpretation is, Whatever the Senate may suggest by way of amendment it shall be made in order and given consideration by the House.

Mr. BUTLER. Mr. Speaker, will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. BUTLER. The gentleman knows and we all know that many pieces of legislation have been put on appropriation bills, placed there by the Senate, and until the adoption of the rule they were in order, but they will not get through hereafter with

out being passed on. Any piece of legislation put on an appropriation bill reported here by the Senate was in order, but hereafter they will not be in order.

Mr. HAUGEN. But the rule will make them in order.

Mr. BUTLER. Oh, no.

Mr. HAUGEN. I would ask the Chair this question: If the amendment comes back, shall it be given consideration by the House? I understood the Speaker to rule that it should be given consideration by the House after it was reported back.

Mr. BUTLER. That is correct.

Mr. HAUGEN. Mr. Speaker, so that we may know exactly where we are at.

The SPEAKER. Will the gentleman kindly again state his question to the Chair.

Mr. HAUGEN. If an amendment is reported back by the conferees, shall it be given consideration by the House and be held in order?

The SPEAKER. Oh, no. It is subject to a point of order, and any individual Member can make the point of order.

Mr. HAUGEN. Does that send it back to conference?

The SPEAKER. That depends on the action of the House.

Mr. HAUGEN. What becomes of it if it is subject to the point of order?

The SPEAKER. It is ruled out and the conference is nullified.

Mr. HAUGEN. But if a point of order is made against any Senate amendment, can a vote be taken on that amendment?

Mr. DAVIS of Minnesota. If the point of order is sustained, there is no necessity for a vote, for it goes out.

Mr. HAUGEN. If it is subject to a point of order under the rules of the House, does that dispose of it? Or may it be considered by the House?

The SPEAKER. Oh, the House can consider it, of course.

Mr. HAUGEN. If it is in order for consideration that makes it in order.

The SPEAKER. It is in order to be considered as a separate Senate amendment.

Mr. HAUGEN. That makes it in order. That is the thing that we are trying to get away from.

The SPEAKER. That has always been so. A Senate amendment must be acted on by the House.

Mr. HAUGEN. The purpose of the rule was to give the legislative committees power to legislate and recommend legislation.

Mr. BLANTON. Mr. Speaker, if the Chair will permit, I would suggest to the gentleman from Iowa that we still hold a cudgel over this appropriating committee, because if it becomes too autocratic, the same power that gave it authority can take that authority away.

Mr. HAUGEN. Oh, the only protection this House has ever had and the only protection it can have is to make these amendments subject to the point of order, in order that they may be properly considered by the proper committees, and then reported back to the House so that the House may pass upon them. If all Senate amendments are made in order in the House for consideration it takes in the whole scope of legislation, and if the usual rule is followed Senate amendments would be disposed of without consideration by the committees.

Mr. BANKHEAD. Mr. Speaker, the gentleman seems to be under the impression that any Senate amendment would be violative of this rule.

Mr. HAUGEN. Any Senate amendment, as I understand it, can be made in order. It has to come up for consideration and determination by the House. If it comes up for determination, it of course must be in order.

Mr. BANKHEAD. But the rule provides that a Senate amendment which does not violate the rule is in order.

Mr. MCARTHUR. Mr. Speaker, I demand the regular order.

The SPEAKER. This is the regular order. Any amendment of the Senate coming into the House always has been and must be subject to the consideration of the House.

Mr. HAUGEN. And the purpose of the rule is not to make it in order.

The SPEAKER. The rule does not give a Senate amendment such a status that the House can not consider it.

Mr. HAUGEN. I am talking about the rule.

The SPEAKER. Of course, the rule does not provide that the House shall not consider a Senate amendment. Is that the point the gentleman makes?

Mr. HAUGEN. I think that is the purpose of the rule—that no legislation should be put on any appropriation bill, that appropriation should be distinct from legislation, and, as was stated on the floor at the time, that the legislative committees were to authorize legislation, that it should be first given consideration by a legislative committee, and after the authorization has been made, then that the Committee on Appropriations should give consideration to it and prepare appropriation bills accordingly.

The SPEAKER. The purpose of this clause of the rule is to prevent conference committees on appropriation bills legislating without the permission of the House, and the rule provides that the conference committees shall not have the right to agree to a Senate amendment which is obnoxious to the rule.

Mr. HAUGEN. It seems to me absolutely unfair that any new legislation should be put on any bill without its first being given consideration by any committee of the House. In many instances conference reports on appropriation bills come up in the last days of Congress and have to be rushed through, and in some instances no time is given to even read the conference report, and I object for the present.

APPOINTMENT OF SPEAKER PRO TEMPORE.

The SPEAKER. The Chair would state to the House that he is liable to be absent the first of next week. In case he is absent, he designates the gentleman from Connecticut, Mr. TILSON, to act as Speaker pro tempore.

AGRICULTURAL APPROPRIATION BILL.

Mr. ANDERSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Agricultural appropriation bill, with Mr. HICKS in the chair.

The Clerk reported the title of the bill.

The CHAIRMAN. When the committee rose last evening, the gentleman from Iowa [Mr. HAUGEN] had reserved a point of order against lines 5 and 6, on page 2.

Mr. ANDERSON. Mr. Chairman, I desire to be heard briefly under the reservation of the point of order.

The CHAIRMAN. The Chair apprehends that a number of points of order will be made during the reading of this bill. In order that the matter may be brought to the attention of the committee, the Chair is going to ask Members making points of order to specify clearly what their objections are. The Chair therefore asks the gentleman from Iowa to specify the objection that he has to the item in question.

Mr. HAUGEN. Mr. Chairman, the committee has authority now to increase the number of employees in the department. There seems to be no question about that, but it has not the authority to increase the number, so far as the heads are concerned.

The CHAIRMAN. Just what is the point of order which the gentleman from Iowa makes?

Mr. HAUGEN. That there is no authority of law.

Mr. ANDERSON. Mr. Chairman, I am not now addressing myself to the point of order. I am in hopes I will be able to persuade the gentleman from Iowa to refrain from making the point of order. I regard the two items to which the point of order is directed, namely, the director of scientific work and the director of regulatory work, as the two most important items in the bill, and I have in mind items carrying very large sums of money, and I am speaking from the standpoint of the development of a definite and permanent forward-looking policy for the Department of Agriculture and the agriculture of the country. If we are going to have a definite and permanent policy for the agriculture of America we must put the Department of Agriculture in America in a position to assume that leadership in agriculture which its position as the foremost scientific institution in the world devoted to agriculture entitles it to assume. It is not a matter of money, it is a matter of men and of leadership, and of providing the department with the human instrumentalities necessary to enable us to assume that leadership. The gentleman who is to be the next President of the United States, in a speech he made at the great Minnesota State fair last September, laid down what I believe to be the most comprehensive agricultural policy ever committed to writing in this country. I want to see the Agricultural Department furnished with the human instrumentalities necessary to carry out that policy. The creation of these two positions is the first step in providing those instrumentalities.

Mr. Chairman, Germany was able to maintain a ring of steel against the combined nations of the world for more than four years, not because her men were braver than those of the other nations, not because she was better prepared in a military sense, but because she had applied the science of her scientific men to the development of a balanced industry and agriculture. I do not desire to emulate the purpose for which she applied those sciences, but we may very well emulate those policies for

the power which they gave. The gentleman from Texas yesterday referred to little bureau chiefs. I do not think he did himself much credit in that reflection. Mr. Chairman, there are chiefs of little bureaus and chiefs of big bureaus in the Department of Agriculture. These men are not in the department because of the salaries which they receive, for most of them are inadequately paid, but they are there because they love the work and because it affords an opportunity for service, and out of the obscurity of long, patient, and untiring research of these men have come the fundamental principles of agriculture upon which all practical agriculture to-day is based. I know that these men are enthusiastic. I know they believe in the things they are trying to do, and it is because I know their enthusiasm and—

Mr. BLANTON. Mr. Chairman, I make the point of order that the gentleman, the chairman of the committee, is not discussing the point of order; in fact, he concedes the point of order, but he is trying by oratory to influence the gentleman from Iowa to withdraw the point of order.

Mr. ANDERSON. Mr. Chairman—

Mr. BLANTON. Mr. Chairman, I ask for the regular order.

The CHAIRMAN. The gentleman from Minnesota.

Mr. ANDERSON. Mr. Chairman, as I say, I know these men are enthusiastic. They are enthusiastic in believing in the things they are trying to do, and we ought to have somebody in the department who can at the proper time encourage that enthusiasm, and who will at other times—

Mr. BLANTON. Mr. Chairman, I ask for the regular order.

The CHAIRMAN. The gentleman from Minnesota is the regular order.

Mr. BLANTON. I know the chairman is a parliamentarian and knows what the rules are.

The CHAIRMAN. The gentleman from Texas demands the regular order. The regular order is, Is there objection made to this item? Does the gentleman from Iowa make the point of order?

Mr. HAUGEN. I make the point of order. I have no objection to the gentleman from Minnesota speaking. I will agree to reserve the point of order.

The CHAIRMAN. As a matter of fact, the gentleman from Iowa reserved the point of order and now he makes the point of order.

Mr. HAUGEN. If necessary, I will make the point of order, but I would be glad to reserve it in order to let the gentleman from Minnesota have opportunity—

The CHAIRMAN. The gentleman from Texas has demanded the regular order; of course, if it is insisted upon—

Mr. BLANTON. I think we ought to get along with the bill, Mr. Chairman.

Mr. HAUGEN. If the gentleman insists upon the Chair determining the point of order, I will make it.

Mr. BLANTON. I know he can not change the opinion of the gentleman from Iowa.

The CHAIRMAN. The gentleman from Iowa makes the point of order against certain parts of this bill. The Chair thinks the gentleman from Iowa should specify a little more clearly than he has done, and the Chair takes it that the gentleman from Iowa makes the point of order against the three officers, director of scientific work, director of regulatory work, and solicitor—

Mr. HAUGEN. No; against two offices not authorized by law. As I stated, the committee under our rule may make appropriations for clerks and scientists in the department—

Mr. BYRNES of South Carolina. Will the gentleman yield?

Mr. HAUGEN. But there is no authority to create new positions such as these.

Mr. ANDERSON. The gentleman has made the point of order, and I desire to be heard on it.

The CHAIRMAN. The Chair would like to know from the gentleman from Iowa the exact point of order that he is making and will ask him to specify the names in this bill to which he objects.

Mr. HAUGEN. Director of scientific work, \$5,000; director of regulatory work, \$5,000; that is the language.

The CHAIRMAN. That is all. The Chair will now hear the gentleman from Minnesota on the point of order.

Mr. ANDERSON. Mr. Chairman, I hope I may have the careful attention of the Chair, because the ruling which the Chair applies to this case will have applicability to other items in the bill. I am free to confess—I want to be entirely fair with the Chair—that the items under consideration present a somewhat closer question than may be presented under some of the other items. I desire his particular attention because of the importance of the positions to which I have tried to direct the attention of this committee.

It is true, Mr. Chairman, there is no law which specifically provides for the employment of a director of scientific work or a director of regulatory work in the department. But, Mr. Chairman, there are employed in the Department of Agriculture agronomists, chemists, meteorologists, all sorts of men of various, sundry, and diverse designations, and there is no specific authorization of law for these employments. There is, however, a general law applicable to all the departments, which has been frequently construed and which may have an applicability to this situation. That general law is as follows, and is in section 169 of the Revised Statutes:

Each head of a department is authorized to employ in the departments such number of clerks of the several classes recognized by law, and such messengers, assistant messengers, copyists, watchmen, laborers, and other employees, at such rates of compensation, respectively, as may be appropriated for by Congress from year to year.

Now, I do not maintain, of course, that these two places are authorized under this law. I refer to it only because I shall have occasion later to refer to the decisions under it, which I think are applicable as well to another provision which I am now going to read.

Section 523 of the Revised Statutes provides:

The Commissioner of Agriculture shall appoint a chief clerk, with the salary of \$2,000 a year, who in all cases during the necessary absence of the commissioner, or when the office of the commissioner shall become vacant, shall perform the duties of the commissioner.

Now, this is the language to which I wish to direct the attention of the Chair:

And he shall appoint such other employees as Congress may from time to time provide in other departments of the Government, and he shall, as Congress may from time to time provide, employ other persons for such time as their services may be needed, including chemists, botanists, entomologists, and other persons skilled in the natural sciences pertaining to agriculture.

Now, it is clearly the intention of Congress in putting that language into the statute to give to the Secretary of Agriculture the broadest possible power to employ persons necessary to carry on the work which Congress provides for by appropriations, and also to give the general authority to appoint the persons for whom Congress might by appropriation provide these salaries.

Mr. CARTER. Will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. CARTER. The gentleman would not contend under the language he has just read that this would give the Secretary of Agriculture the right to appoint these persons?

Mr. ANDERSON. But to employ them.

Mr. CARTER. Or to employ these persons, without an authorization by Congress? The gentleman could not contend that, because the language says and repeats, "as Congress may provide."

Mr. ANDERSON. Ah, but the purpose of that language is to provide an authorization for appointments in those cases where Congress provides an appropriation.

Mr. CARTER. Exactly.

Mr. ANDERSON. Not by specific authorization. It never has been held—

Mr. CARTER. The gentleman from Minnesota is certainly a good enough parliamentarian not to assert that view seriously.

Mr. ANDERSON. I am asserting it in all seriousness, but I defer to the gentleman.

Mr. CARTER. As I understood the gentleman, he said that the Secretary of Agriculture would be authorized to appoint these men as provided in an appropriation?

Mr. ANDERSON. Yes. All this statute does is to authorize the Secretary of Agriculture to make an appointment or to employ a person when Congress has provided necessary appropriation for that person.

Let me direct the gentleman's attention to this: When this proposition first came up, as I recall it, the point of order was directed against an assistant secretary, a man who held an official position. Now, there was reason in the application of the rule to such a case, because it went against not only the inhibition against places not authorized by law but it went against the inhibition of legislation, because, of course, when we appropriated for a new secretary we at the same time imposed upon the Secretary the duties that were imposed upon an assistant secretary by law. The gentleman must keep in mind the fact that there are two inhibitions in this rule. One of them is that Congress shall not provide for places which are not authorized, and, second, that it shall not legislate on appropriation bills. Now, we are not legislating here. If we had provided that these men should perform certain duties; that they should take the place of the Secretary of Agriculture, or impose other duties upon them, then we would have come up against the inhibition of the rule.

But we have made no such provision. We have simply provided an appropriation for the salary of a person whom the Secretary has the right to employ. That is all that we have done.

Mr. CARTER. And the thing I am trying to find out is, Does the gentleman contend that the words "as may be provided by law," or "provided by Congress," would not limit the Secretary in these appointments until after the provision had been made by Congress?

Mr. ANDERSON. We might make this provision in two ways: We might give the Secretary a general appropriation for directing all the work of the department, and under the statutes I have read he would be clearly authorized to employ persons to do that work. There is no question in the world about that. The only difference here is that instead of making a lump-sum appropriation for the direction of the work we provide for two specific positions for which the Secretary of Agriculture has the power to make appointments.

The CHAIRMAN. Will the gentleman from Minnesota permit the Chair to ask him a question?

Mr. ANDERSON. Yes.

The CHAIRMAN. I presume the gentleman contends that the director of scientific work and the director of regulatory work are both scientists?

Mr. ANDERSON. Yes. And I am simply contending that all we are doing in this appropriation is to appropriate \$5,000 for each of two places which the Secretary has the general authority to fill. We are not providing any statutory duties for these people. We are simply providing an appropriation for two men whom the Secretary now has the authority given him by Congress to employ.

I would like to direct the attention of the Chair to a decision of a prior chairman of the committee on a somewhat similar question. The Chair will find the decision in the CONGRESSIONAL RECORD for the third session of the Sixty-second Congress, on page 2732. As I recollect, the question was there raised as to the appointment of a solicitor. I will not go through the debate; I will only read the decision of the Chair, which is very short. The Chair says:

In the opinion of the Chair the precedents are almost uniform, to the effect that under the authority of the act creating the Department of Agriculture, as well as under the authority of the article of the statute which has been read here, it is within the province of this committee to consider any item in an appropriation bill to create and to care for such an employee as this, and therefore overrules the point of order.

Now, in the same session of the same Congress the Chair will find another decision at page 234. I want particularly to direct in this case the attention of the Chair to the argument made by the distinguished gentleman from Illinois [Mr. MANN], because it very well states the rule which is applicable to this situation. The gentleman from Illinois said:

Mr. MANN. Mr. Chairman, if the Chair will permit, I would like to make an observation in reference to the rule. Mr. Chairman, the rulings in regard to matters of this sort are so arbitrary and artificial that sometimes it is necessary to restate them. The rulings are uniform for many years that so far as the salary is concerned the salary in the current law fixes the salary for the bill. In other words, an increase in the salary of an official when that salary is covered by the current law can not be made over a point of order. This is purely artificial ruling, because there is no salary fixed by law for these places.

Which is the situation here. Then he proceeds:

Not long ago some chairman held that current law fixed the salary, because without that the House was in confusion. Now, there is also no law fixing the number of these places.

The Chair ruled on the matter in question there as follows:

It seems to the Chair that the first question for the Chair to ascertain is whether or not section 169 of the Revised Statutes—

That is the section I have read—

authorizes these clerks or whether the head of a department has the right to employ these five clerks. In 1906 Mr. HULL of Iowa was in the chair, and this identical question came up and was decided by him on a point of order made by Mr. Tawney upon clerks of a similar nature in the War Department. Mr. HULL held at that time, quoting section 169, that where the statute had authorized the head of a department to employ clerks and other laborers that it was in order, and he overruled the point of order.

Now, there is no essential point of difference between the power or authority to employ a clerk and the power or authority to employ a chemist or a director of scientific work, especially in view of the fact, as I said before, Mr. Chairman, that we have not in this appropriation bill imposed upon these two positions any official or administrative duties.

I want to direct the attention of the Chair to one or two other more recent decisions. I do so very briefly. The question came up again in the Sixty-sixth Congress, first session, and I direct the Chair's attention to the decision on page 295 of that session. I only read the decision of the Chair:

The Chair believes that the law organizing the Agricultural Department is sufficiently comprehensive to authorize the employment of additional persons by the department from time to time, as the department develops. Therefore the Chair overrules the point of order.

It is clear that the decisions of the Chair heretofore have been as broad as the language itself authorizing the Secretary to employ other persons as they might be needed in the department.

I have another decision here that I will just refer to by title. The Chair will find the decision in the Sixty-fourth Congress, first session, at page 2851, again sustaining the position which I am now taking. In fact, I think it has uniformly been held that, under the general authority authorizing the Secretary of Agriculture to employ other persons, it is in order to appropriate for the persons whom the Secretary of Agriculture is authorized to employ or appoint.

Mr. HAUGEN. The contention has not been made that the committee has no authority to make provision for certain employees in the department, but its authority is limited. I admit it has authority to report increases in the number of positions in the clerical force, but it has not the authority to report creating new positions as indicated.

When this matter was under consideration in the Sixty-fifth Congress, third session, on the 30th day of June, the gentleman from Illinois [Mr. MANN] made a point of order against the bill carrying an additional Assistant Secretary. Let me quote the RECORD, on page 2368:

Under this organic act we have the authority in the appropriation bill to increase the number of clerks, to increase the number of chemists, to increase the number of scientific men working in the Department of Agriculture, and have so authorized in the organic act—

Exactly as stated by the gentleman from Minnesota [Mr. ANDERSON]. Then he adds:

These organic acts refer not to the superior officer at the head of the department, but to the personnel of the department. In the language of the organic act creating the commissioner of agriculture, the language relates to certain under employees or officials. It does not relate to the men who are supervising officials at the top. And it seems to me that while it is in order to increase the number of employees of the department below, it is not in order to increase the number of officials at the top, which are not covered by the language of the organic act.

I quote from the Chairman's ruling. Mr. HAMLIN was in the chair. He ruled:

The CHAIRMAN. The organic act undoubtedly gives the Secretary of Agriculture authority to increase any given number of employees in the different places provided for by law, but that does not apply to administrative positions, such as Assistant Secretary to the department. For instance, the Chair thinks that the position of First Assistant Secretary is one position, and that of Second Assistant Secretary is a different position, and the Third Assistant Secretary is still a different position, and so on. The Chair does not think that the organic act gave the Secretary of Agriculture authority to increase the number of Assistant Secretaries, and you can not appropriate for such a position against a point of order unless Congress has authorized or created the particular position. The Chair therefore sustains the point of order.

That seems to me as clear as day, and the two provisions are on all fours. The gentleman from Minnesota [Mr. ANDERSON] says he assumes that the director is a scientist. The language in the bill does not so state. He may be a scientist, or he may be a politician. I do not know.

Mr. ANDERSON. I just want to make this observation, Mr. Chairman: Of course, if we had undertaken to appropriate for an additional secretary that would have been in violation of the rule, not alone because it was not authorized, but because it was legislation, because we could not provide for an additional secretary without imposing upon him the duties which are imposed by law upon an assistant secretary. But we are not undertaking to impose any duties by law upon these employees.

Mr. CARTER. Mr. Chairman, I know nothing about the duties performed by these two gentlemen—the director of scientific work and the director of regulatory work. They may be very good officials and may serve a splendid purpose, for all I know. I have no interest in stopping the activities of those two gentlemen; but I have some interest in the preservation of the integrity of the procedure and rules of the House. I recall when I first came to Congress how very much fretted and discommoded I often found myself by some of the rules of the House. I well remember that they seemed to me to prevent, preclude, and impede the progress of legislation which at that time seemed to me imperatively necessary; but after my subsequent experience in this House I have come to the conclusion that the rules of the House are about the best check we have upon expenditures from the Public Treasury, and, therefore, the greatest safeguard to the people.

Now, my friend from Minnesota cites to you here section 523, by which the Secretary of Agriculture is authorized to appoint a chief clerk, and so forth, "and shall appoint such other employees as Congress may from time to time provide." That is not and can not be construed by any means to be an authorization to place an amount in an appropriation bill. That simply authorizes the Secretary to appoint certain officials after the law has provided those officials. Now, so far as I can recall, the only authorization further than that cited by the gentleman

seems to be the fact that this item has been carried in appropriation bills heretofore, which is merely an appropriation for a specific term, during the years for which the bill ran, and is not in any way an authorization for the appointment of additional officials by the Secretary of Agriculture, as contemplated by this item.

Mr. BYRNES of South Carolina. Mr. Chairman, I simply want to add one thing to what has been said by the gentleman from Minnesota [Mr. ANDERSON].

In the organic act creating the Department of Agriculture that department is authorized to make investigations to secure information on subjects connected with agriculture. On page 410 of volume 4 of Hinds' Precedents, section 3615, the Chair will notice a decision by Chairman Payne, holding that the department being created for the declared purpose of investigation, an appropriation for the instrumentalities of such investigation is within the rule.

I simply suggest to the Chair that the employment of a director of scientific work is an instrumentality for the purpose of conducting the investigations authorized by the organic act creating the Department of Agriculture, and that it is sufficient authority in law for this appropriation. It does not involve the creation of a new bureau, but this is simply an appropriation for an instrumentality to accomplish the work authorized by the organic act, and the language of this decision by Chairman Payne is clearly a precedent for the decision overruling the point of order.

The CHAIRMAN. The Chair is aware that this is a very close question and that there is some conflict in the precedents.

Section 169 of the Revised Statutes has been quoted, which refers to the power of the department to appoint clerks of various classes, messengers, and so forth. If that was the only law in existence the Chair would have no doubt as to his decision, for he would base it on a precedent in Hinds', volume 4, section 3590, in which case a nearly similar proposition was ruled out of order. But referring to the law creating the Department of Agriculture, paragraph 778 of Chapter I, the Chair reads:

The Secretary of Agriculture shall appoint a chief clerk—

And so forth; and then this further power is given him:

He shall, as Congress may from time to time provide, employ other persons for such time as their services may be needed, including scientists, botanists, entomologists, and other persons skilled in the natural sciences pertaining to agriculture.

It seems to the Chair in reading the part of the bill to which objection has been made that the director of scientific work must be assumed to be a scientist in order to be qualified to be a director of that work. The Chair also thinks that the man in charge of the regulatory work should be a scientist.

Mr. HAUGEN. What evidence has the House that either of them is a scientist? There is nothing in the language of the bill to indicate that either are scientists. As I stated, they may be politicians, or they may be fishermen. I do not know. It is simply an assumption, but there is nothing here to show, not even the evidence of the statement of a member of the committee that they are scientists. The gentleman from Minnesota says he assumes they are. Are we going to base it on an assumption? If some Member of the House assumes that some one is a scientist, are we going to make that the basis of an appropriation?

The CHAIRMAN. The Chair asked the gentleman from Minnesota the question, and the answer was that these gentlemen were scientists, and the Chair will assume that that is correct.

Mr. HAUGEN. I should like to ask the gentleman from Minnesota who the scientist is?

The CHAIRMAN. Can the gentleman from Minnesota enlighten the gentleman from Iowa?

Mr. ANDERSON. Of course, there has been no appointment of any gentleman to either of these places. The places do not now exist.

Mr. HAUGEN. We have only the assertion of the gentleman from Minnesota that they are scientists.

Mr. ANDERSON. The Secretary has the power and authority to appoint other persons; he is not confined to appoint scientists or chemists or astrologists.

The CHAIRMAN. The Chair fortifies his position by a further authorization in the law. The Chair finds that in addition to the power to appoint scientists the Secretary of Agriculture has the power to appoint other persons, persons skilled in science pertaining to agriculture. It seems to the Chair that the authority granted to the Secretary of Agriculture is extremely broad—undoubtedly intended to be so in order to be sufficiently comprehensive to provide for the needs of the department as it develops. While a precedent can be referred to which does not allow the creation of a bureau for the purpose of carrying on scientific investigations without specific authorization, the Chair does not think that ruling applies in this case.

Other rulings would make it clear that the authorization is not broad enough to cover officers high up in the department. But the Chair thinks that in order to carry on the work of the department the Secretary is authorized under the organic law to appoint men who are not at the very top of the department. Therefore the Chair feels that the point of order made by the gentleman from Iowa is not well taken. To further fortify the Chair's decision, he refers to page 2732 of the CONGRESSIONAL RECORD, February 7, 1913, where a ruling was made which is in line with the ruling of the present occupant of the chair. The Chair also cites the ruling of Chairman MADDEN on May 27, 1919, in a case almost parallel to the present one. The Chair overrules the point of order.

The Clerk read as follows:

For salaries and compensation of necessary employees in the mechanical shops and power plant of the Department of Agriculture, \$100,000: *Provided*, That hereafter the Secretary of Agriculture may, by transfer settlement through the Treasury, reimburse any appropriation made for the salaries and compensation of employees in the mechanical shops of the department from the appropriation made for the bureau, office, or division for which any work in said shops is performed, and such reimbursement shall be at the actual cost of such work for supervision and labor.

Mr. HAUGEN. Mr. Chairman, I make a point of order against section 9, which provides that the Secretary may transfer, and so on; it is new language.

Mr. ANDERSON. I concede, Mr. Chairman, that the language is subject to a point of order. It will save money to the department, but if the gentleman from Iowa does not care to save the money, he can make the point of order.

Mr. HAUGEN. Oh, I understand what the question is.

The CHAIRMAN. The gentleman from Iowa makes the point of order that it is not authorized by law.

Mr. HAUGEN. Yes; it is new legislation.

The CHAIRMAN. The Chair sustains the point of order.

Mr. HAUGEN. Mr. Chairman, I offer the following amendment.

Mr. BANKHEAD. Did I understand the Chair to sustain the point of order to the original paragraph?

Mr. HAUGEN. Only to the proviso, and I offer this as a substitute for the paragraph.

The Clerk read as follows:

Page 3, line 7, strike out lines 7, 8, and 9 and insert in lieu thereof the following: "One mechanical superintendent, \$2,500; 1 mechanical assistant, \$1,800; 1 mechanical assistant, \$1,400; 1 mechanical assistant, \$1,380; 1 engineer, \$1,400; 1 electrical engineer and draftsman, \$1,200; 1 chief engineer, \$1,800; 2 assistant engineers, at \$1,200 each; 2 assistant engineers, at \$1,000 each; 10 firemen, at \$1,080 each; 1 fireman, \$840; 4 firemen, at \$720 each; 1 chief elevator conductor, \$840; 10 elevator conductors, at \$720 each; 3 elevator conductors, at \$600 each; 1 superintendent of shops, \$1,400; 1 cabinet shop foreman, \$1,200; 5 cabinetmakers or carpenters, at \$1,200 each; 3 cabinetmakers or carpenters, at \$1,100 each; 9 cabinetmakers or carpenters, at \$1,020 each; 3 cabinetmakers or carpenters, at \$900 each; 1 instrument maker, \$1,200; 1 electrician, \$1,100; 2 electrical wiremen, at \$1,100 each; 1 electrician or wireman, \$1,000; 1 electrical wireman, \$900; 1 electrician's helper, \$840; 3 electrician's helpers, at \$720 each; 1 painter, \$1,020; 1 painter, \$1,000; 5 painters, at \$900 each; 5 plumbers or steamfitters, at \$1,020 each; 2 plumber's helpers, at \$840 each; 2 plumber's helpers, at \$720 each; 1 blacksmith, \$900; 1 elevator machinist, \$1,200; 1 tinner or sheet-metal worker, \$1,100; 1 tinner's helper, \$720; 4 mechanics, at \$1,200 each; 1 mechanic, \$1,000."

Mr. HAUGEN. Mr. Chairman, that is a substitute and places them on the statutory roll instead of a lump-sum appropriation of \$100,000. This carries exactly the amount of last year. It puts them on the statutory roll.

Mr. BLANTON. May I ask the gentleman a question?

Mr. HAUGEN. Yes.

Mr. BLANTON. Are any of these positions and salaries contained in the gentleman's amendment not authorized by law?

Mr. HAUGEN. I think they are authorized by law.

Mr. BLANTON. Does the gentleman know that some of them are not authorized by law? His argument was so novel, in the light of past transactions, that I had simply to sit here and be amused.

Mr. HAUGEN. I think there is a distinction between the two. I have not made a point of order against any position of the department as ruled by the chairman two years ago. On the point of order made by the gentleman from Illinois it was sustained and it has now been reversed. I am not finding any fault with reversing the decision. I think the rule is clear as to the clerks in the departments and that it has the authority to increase the number, but no authority to increase the salaries. But shall this Congress make lump-sum appropriations in lots of \$100,000, or will it exercise its right in fixing a limit on the salaries? Shall we leave it entirely to the department? I believe that sane business requires that Congress should have something to do with fixing the salaries and determining the number of employees.

Mr. BLANTON. I am with the gentleman. I have been against him heretofore, but I am with him now.

Mr. HAUGEN. All this does is to put them on the statutory roll at the same salary carried in the current year instead of making a lump-sum appropriation of \$100,000 to be expended as the department may in its discretion deem wise. I am not reflecting on the department, but the employees therein are not always infallible. I believe Congress has certain duties to perform, and that it should perform its plain duty and should determine the number of employees as well as their salaries. That has been the policy of the committee heretofore which has handled these appropriations. I might say that the bill as prepared heretofore carried 6,000 positions on the statutory roll. I believe it is a sane business policy and we ought to adhere to it.

Mr. ANDERSON. Mr. Chairman, I desire to oppose the amendment. I merely want to state some of the considerations which moved the committee to provide a lump sum in lieu of the statutory mechanical roll. With the statutory mechanical force it is necessary to keep employees at all time, men who can do the mechanical work necessary to be done for the department, with the result that frequently these men are not employed as they might be at full capacity. Under the lump-sum amount they can be employed from day to day or hour by hour as they are needed, and a lump sum will give a flexibility which is not possible when they are on the statutory roll. Besides this, the statutory roll, which the gentleman from Iowa proposes and which we carried last year, carries \$10,240 more than is carried under the lump-sum appropriation. If gentlemen of the House want to save \$10,240 by providing a flexible mechanical force that can be employed as they are needed, then they ought to vote against the amendment of the gentleman from Iowa. If, on the other hand, they are willing to give \$10,240 for the privilege of writing into the bill a page of statutory places, they ought to vote for that amendment. That is the entire situation.

Mr. HAUGEN. Oh, I take it that the gentleman wants to state the facts?

Mr. ANDERSON. I not only want to, but I do.

Mr. HAUGEN. I have not added up the amounts, but I am sure there is not that much difference.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The amendment was rejected.

The Clerk read as follows:

Salaries, Bureau of Farm Management and Farm Economics: Chief of bureau, \$5,000; assistant to the chief, \$2,520; executive assistant, \$2,250; clerks—2 of class 4, 4 of class 3, 7 of class 2, 2 at \$1,320 each, 18 of class 1, 3 at \$1,100 each, 4 at \$1,080 each, 15 at \$1,000 each; clerks or draftsmen—1, \$1,440; 1, \$1,020; draftsman, \$1,200; library assistants—1, \$1,440; 1, \$900; photographer, \$1,400; cartographer, \$1,500; messenger or laborer, \$720; messenger boys—1, \$600; 3 at \$480 each; charwomen—1, \$480; 5 at \$240 each; in all, \$89,830.

Mr. HAUGEN. Mr. Chairman, I reserve the point of order.

Mr. ANDERSON. Mr. Chairman, let us dispose of the point of order.

Mr. HAUGEN. Mr. Chairman, I make the point of order with reference to the use of the word "bureau" wherever it occurs.

Mr. ANDERSON. Mr. Chairman, I do not think that the words are subject to the point of order. The whole question is whether by using the word "bureau" in place of the word "office" you thereby create something that does not now exist. The use of the word "bureau" in lieu of the word "office" does not create anything. It is simply a distinctive title under which we are making these appropriations. So far as I know there is no law creating a bureau of farm management and farm economics. It is simply a convenient title which we use as a general head under which these appropriations are made. The Secretary has general authority, of course, to organize his force in the way which will best enable him to carry out his work. The mere fact that he calls one an office and another a bureau does not create anything, and this does not create anything.

Mr. HAUGEN. Mr. Chairman, I think there are numerous decisions, though I am not prepared to point them out now, which hold that this is out of order. It has never been questioned, so far as I know, and whenever the point of order has been made it has been conceded.

The CHAIRMAN. The Chair is prepared to rule. The Chair sustains the point of order.

Mr. ANDERSON. Mr. Chairman, I ask unanimous consent that the word "office" may be substituted for the word "bureau" wherever it occurs in the paragraph, and in the heading.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that the word "office" may be substituted in this paragraph wherever the word "bureau" now appears, and in the heading. Is there objection?

There was no objection.

Mr. SUMNERS of Texas. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SUMNERS of Texas: Page 3, strike out lines 18 to 25, inclusive, and on page 4, lines 1 to 4 inclusive.

Mr. SUMNERS of Texas. Mr. Chairman and gentlemen of the committee, I desire to direct your serious consideration to the motion which I have made. This item carries an appropriation of \$414,830 for cost of production, farm organization, farm finance, farm labor, agricultural history and geography, land economics, and farm-life studies. This is in addition to the farm demonstration and other agricultural agents scattered through the country. The chief expenditure is for the first item. There are 19 agents regularly in the field, so the chief of the bureau says, getting information, studying the cost of production of the various crops in the country. They select 100 farms in a State, and out of that 100 farms they will pick 25. Once a week, or possibly twice a week, or once a month, some young man will go around to the farmer and find out how he is getting along and what it is costing him to run his business. A good illustration, I imagine, of what they have been doing may be had with regard to cotton. They conducted a study of the cost of cotton production in 1918, and they made the remarkable discovery that one man's crop would cost 8 cents a pound and another man's \$1.07 a pound, and they guessed the average cost of cotton, which, I believe, was 23 cents per pound, but the bulletin containing the guess was not printed until 1920. My objection to this sort of activity is that it is taking the people's money to get a lot of stuff which is crammed away in these departments, which was of but little value at any time, and dead before you get it, and that nobody ever uses it. I am going to quote from the committee hearings on cotton price matter:

Mr. BYRNES. Yes. To give you an idea, this cotton bulletin you have here, which contains 814 records for 1918, was published November 19, 1920; that is two years later.

Mr. TAYLOR. The mimeographed result of that was sent back to all these farmers, a complete statement for all was sent back to these farmers a year earlier than that.

Mr. BYRNES. Which would be a year after it was taken, because it says studies for 1918, and they were computed in the fall of 1918.

Mr. TAYLOR. They were taken in the spring of 1919. It was in the spring of 1919 that I took charge of the office.

Mr. BYRNES. How does it represent the cost for 1918?

Mr. TAYLOR. In the spring of 1919 they got the record for the previous year.

Mr. BYRNES. You do not think the average farmer down there, if you collect the information as you have described, has any recollection in 1919 of how much he spent in the spring of 1918 for chopping up cotton?

Mr. TAYLOR. Yes; we think he does.

Mr. BYRNES. Is that the information upon which it is based, that you ask him to recall how much time his children spent in chopping up cotton the previous year?

Mr. TAYLOR. Yes.

Mr. BYRNES. I am frank to say that you have made me lose confidence in your cost production studies.

Mr. TAYLOR. You are not the only one who, at first blush, on a question of that kind would think that your view was correct. I was of that view at one time, but when I see the skill with which the men ask questions—

Mr. BYRNES. It is not the skill with which a question is asked, but it is the skill with which the question is answered that gets me.

Mr. TAYLOR. That is also true; but you must bear in mind that these farmers are going ahead very much the same year after year.

The crop studied had all been sold and the next crop had been sold, and it only lacked a month and 11 days of being Christmas of the next year before it was published. They have been studying farm labor in the wheat belt and getting along pretty well, but they wanted to study the life history of the farm laborers. I quote from the hearings:

They found that one of the difficulties is the lack of continuous employment after the men get out there, and they are studying the life history of the men who come into this region during harvest, getting a notion of the kind of men who come.

It is for that sort of stuff that the people's money is being taken under the guise of rendering service to the American farmer and the American people. They said they did not have quite enough for that particular job, and they wanted \$20,000 to hire some doctor to study and, I suppose, of course, to write the life history of these agricultural birds of passage. I am going to quote again from the hearings:

Then there is also the farm-labor problem, and the ordinary farm monthly hand proposition. We have not been able to touch that, but with the increase of \$20,000 we expect that we will be able to hire Dr. Lescohier or some other man equally as good, we believe, to take charge and devote his entire time to studying the farm-labor problem, first the itinerant labor, and then the regular monthly hand.

They sent some one out here to find out how much it cost to raise beef, and then there is some one studying whether it is better to use horses or tractors. Another man is studying whether it is better to use a reaper or an old hand cradle.

They want to get up a geographical history of the country, and they will draw a lesson for the prairie farmer from the fact that the man in the hills of Tennessee uses a cradle.

We men who come from the South know now that we are not getting the cost of producing cotton. The grain farmer and the stockman know the same thing with regard to their products. Our people are hard up. We need money more than we do to have somebody tell us what we know too well. Yet this section and the two following take over \$400,000. What we want to know is how to change the situation. A man who has fallen overboard 10 miles from shore, where the water is too deep for him to wade and the shore too far away for him to swim, does not care how deep the water is or how far the shore is away if he can neither wade nor swim. He needs a boat, not somebody to crawl on top of his back. He has all the weight he can carry, and so have the taxpayers of this country. We have enough knowledge right now. We want some way in which to apply it. I am getting tired of taking my people's money and using it to pay the salary of a lot of these fellows who run around in their Ford automobiles, take down a few figures, and run back to the hotel and issue a bulletin two years afterwards that nobody cares anything about. This is the most remarkable record of the expenditure of money that I have ever read of.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that his time be extended for five minutes.

The CHAIRMAN. Is there objection?

Mr. ANDERSON. Mr. Chairman, in view of the attitude of the gentleman from Texas [Mr. BLANTON] when I was endeavoring to make a few feeble remarks with respect to the two places on the statutory roll of the Secretary's office, this request is very remarkable. However, I do not object.

Mr. BLANTON. I am sure the gentleman's diplomatic sense of what could happen and what could not—

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. ANDERSON. I have not the slightest objection to the gentleman proceeding now.

Mr. SUMNERS of Texas. Gentlemen, I want to call your attention to the records. This item runs up close to a half million dollars of the people's money. In the report here, if you gentlemen happen to have it, under the head of activities, there is enumerated the activity to which I have directed your attention. Then when it comes to subheading and subdivision of this activity you will find what the people get for their money. Under the head of wheat they pick out some wheat farmers, send these folks around to these various wheat farmers and get records of how much man power they use, how much horse power they use, how much tractor power they use at the time, and bring a report back—I presume on the theory that they can thus find out why and how some particular farmer has raised a crop cheaper than somebody else. Do not confuse these people with the regular demonstration agents. For instance, they will find one man is using four horses and another man is using six horses, and they draw a lesson from that. Now, we who have been raised on a farm know that a man who has four big horses does not have to have six, but just makes use of the four; but if you have six little horses you have to put them in to get the work which the four big horses could do, and yet one of these fellows will go and say, "Here is a man who did so much with four horses; you ought to be able to do with four horses," even though the other man has but six little ones. Now, under the head of farm labor, let us use our horse sense. They go out and make this remarkable discovery, that up in the wheat fields of Kansas where men go in to do that seasonal work, there may not be immediate connection between jobs, and when they get through with cutting the wheat there is nothing at all to do there. It takes Dr. Somebody to discover that—and the people have to pay for the discovery. They say they are not quite ready to handle this thing because they want to know the life history of the fellows. Why, the life history of the next bunch may differ, just as the cost of the next cotton crop will be different. If they can show the use of this stuff I am willing to pay for it, but I am not willing to take the money from my people to pay salaries of these Ford drivers going around over the country trying to teach people who knew before they were born more than they will ever know in the world how to run a farm. Now, they take agriculture, history, and geography, and under the head of that, to illustrate, those who testified before the committee said that in some places they use the cradle and in some places they use these ordinary harvesting machines. Now, they have got another proposition here. They have got a fellow who goes out here and undertakes to talk to the farmers upon insurance contracts—

The CHAIRMAN. The time of the gentleman has again expired.

Mr. ANDERSON. Mr. Chairman, I confess I have a great deal of sympathy with the attitude of the gentleman from Texas with reference to this appropriation. I was not impressed with some of the things which were being done and which it was proposed to do under this item. The committee had that fact in mind when it changed the proportions of the items as between the amount which could be spent for ascertaining the cost of production and the amount which might be spent for the study of power, for the study of farm labor and investigations of that sort, but, Mr. Chairman, this work properly conducted will eventually be of the highest value to the farmers of the country. It is necessary before we can bring it actually back to the farm that some study should be made of a general character in order that we may get the basic information to check against when considering the costs of a particular farm or particular operation. Now, industry generally has the widest and the most complete information with respect to the cost of production in manufacture. We know in a general way, for industry in the country over, what different operations cost, and each manufacturing establishment has the most detailed information with respect to what it cost to produce a given article. We have no such information for agriculture, and before we can have it it is necessary to make certain general studies of cost of production from which general rules can be ascertained before we can make the individual studies which I think ought ultimately to be made.

Mr. SUMNERS of Texas. Will the gentleman yield?

Mr. ANDERSON. In just a moment. Now, the question of cost of production is not a mere matter of bookkeeping. It goes much deeper than that. It comes eventually to the question of an analysis of the operations themselves, in the light of what the operations actually cost, to determine whether the operations can be so modified as to cheapen the cost of production. I recognize the fact that these general studies will not benefit the farmer immediately or directly, but they may help to give the general public an idea that what it is paying for farm products is not excessive considering the cost of production, and we must have that information before we can make the analysis of operations which is necessary as a basis for farm management.

Mr. PURNELL. Will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. PURNELL. I want to ask the chairman what part of this work, if any, he thinks could be done by the agricultural experimental stations?

Mr. ANDERSON. Practically all of it is done in cooperation with the agricultural experimental stations.

Mr. PURNELL. Could they, in his judgment, if they had sufficient funds, take over this work and do it more advantageously than it is now being done by the two separate divisions?

Mr. ANDERSON. I do not think so, because the cooperation which exists now is very complete, and it is necessary to have a central agency which will correlate the work of the different experimental stations, so that all of the information will be upon a comparable basis.

Mr. PURNELL. However, there is necessarily a duplication of work?

Mr. ANDERSON. I do not think so. I do not think there is any duplication. I think the work is done in cooperation which prevents any real duplication of work.

Mr. SUMNERS of Texas. Will the gentleman yield for a question?

Mr. ANDERSON. Yes.

Mr. SUMNERS of Texas. I appreciate that the gentleman in charge of this bill has very broad and liberal views, but I want to ask my friend if he does not recognize this fact, that it is necessary for industry to know the cost of production, because then it is able to write the cost of production into its selling price? Now, then, if it is necessary for industry to do that, it does not follow that a business that has not been able to organize a sales-agent business, so that it can write the cost into the selling price, should have that information.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ANDERSON. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. ANDERSON. The gentleman is dealing with only one side of this proposition, and that is a purely informational side, a determination of the question of cost with a view of determining what the price ought to be. While it is important, it is a relatively unimportant side of the proposition. The real object of this work is to determine the cost of operations in such

a way that analysis of those operations will show which of them is too expensive as compared with the same kind of operations of another farmer or another class of farmers, or between one section and another. You can not get that analysis unless you have as its basis the actual cost of the operations.

Mr. SUMNERS of Texas. Does not the gentleman recognize in regard to agriculture, from a practical standpoint, that the difference in soil and in climate, difference in the products of the farm, production through the different years, and all of those things, make this information not worth the money we pay to obtain it?

Mr. ANDERSON. No; I do not. I know that two farmers farming exactly the same land, side by side, one pursuing one method and the other another method, will get yields altogether different. Those widely differing yields are largely due to the different methods employed. Now, then, if we get such an analysis through, a determination of costs will demonstrate why one man's method is better than another's, and it seems to me we can help the fellow whose cost of operation is too high.

Mr. SUMNERS of Texas. Does not the gentleman think, as a practical proposition, that a man who can not get his information from his neighbor across the way, can not get information from one of these Ford fellows?

Mr. ANDERSON. No; I do not think it is true. I think the history of the work shows it is not true.

Mr. BYRNES of South Carolina. Mr. Chairman, I move to strike out the last two words.

I desire to say to my friend from Texas [Mr. SUMNERS] that in reading the hearings he doubtless overlooked this fact, that while the representative of the department stated that these bulletins as to the cost of cotton production, to which he has referred, are not printed and issued until a year and a half afterwards—that information having been elicited by a question of mine—the representative of the bureau stated, however, that mimeograph copies of the information, secured as a result of this investigation, was immediately forwarded to the farmers of the particular section where the survey was made, and that the information was also made public, and I think it was published in the newspapers of the country. And the fact is that the officials of the American Cotton Association, who are asking to have this very work done as to cotton, secured from the Agricultural Department the information that the bulk of the crop of cotton made during the year 1918 cost about 28 cents; and it enabled them to put before the country the truth as to the cost of cotton production. It was important to the cotton farmers of this country, for many men believed that because cotton had been sold at one time for 10 cents it could still be made for 10 cents, and, notwithstanding the fact that the farmers of the South might assert that it cost 28 cents, they could never convince the people of this country that it cost them that much, but the mere statement of the Department of Agriculture that the agents of the United States Government had gone down into the cotton fields and had ascertained that the cotton crop of 1918 cost 28 cents a pound served to convince the people of the country that if cotton goods were high certainly the farmer was not reaping the unusual profit but that the mills of the country were receiving the major portion of the profit. And it helped the farmers of the State of Texas and the farmers of the State of South Carolina in the demand they are making—a price that will at least enable them to meet the cost of production.

Mr. SUMNERS of Texas. Will the gentleman yield?

Mr. BYRNES of South Carolina. I will.

Mr. SUMNERS of Texas. Does the gentleman stand here and say that that statement, wherever it was made, caused any man to pay one cent more for cotton or got the farmer one single cent more for his cotton?

Mr. BYRNES of South Carolina. I have never assumed to state what fixes the cost of cotton, and I do not think the gentleman from Texas could convince the other gentlemen from the South as to exactly what causes cotton to sell to-day for the prices at which it is being sold. And I can not say that the knowledge of the cost of production increased the price paid for cotton, unless it has served to induce the farmers to hold their cotton for a fair price. But I know that there is not a cotton farmer in this country who would not want to have behind his statement that his cotton is costing him 28 cents the statement of the United States Government that they have investigated it and found that the farmers' allegation is true. It should serve to strengthen the position of those who are holding their crops and demanding a price equal to the cost of production.

And it gives greater effect to the argument which is made with eloquence and effectiveness always by the gentleman from

Texas [Mr. SUMNERS], that the cotton farmers of the South are entitled to more than they are now receiving.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield for a question?

Mr. BYRNES of South Carolina. I yield.

Mr. SUMNERS of Texas. Does not the gentleman know that the price of commodities is not fixed by argument, but by trade conditions and the conditions of commerce?

Mr. BYRNES of South Carolina. Well, in their fight for better prices, does the gentleman believe that it puts the cotton farmers in any better fix not to have the statement of the United States Government behind them, that their statement as to the cost of production is true?

Mr. SUMNERS of Texas. Not a bit on earth. The buyer does not pay a quarter of a cent more than he is obliged to pay for it.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. JONES of Texas rose.

Mr. ANDERSON. Mr. Chairman, I wonder if we can not come to some agreement as to the time to be expended on this item. Of course, all of this debate with reference to the statutory roll is on the amendment to strike out the statutory roll, which has no relation to the thing that the gentleman from Texas [Mr. SUMNERS] is trying to do. I wonder if we can not get a vote on this particular proposition, which is really an item necessary to carry on this work.

Mr. JONES of Texas. Mr. Chairman, I would like to make a few remarks on this amendment.

Mr. ANDERSON. Mr. Chairman, I ask unanimous consent that the debate on the pending paragraph and all amendments thereto close in 12 minutes, the gentleman from Texas [Mr. JONES] to have five minutes and the gentleman from Kansas [Mr. WHITE] to have five minutes and the gentleman from Minnesota two minutes.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that the debate on this paragraph and all amendments thereto close in 12 minutes, the time to be detailed as outlined by him. Is there objection?

There was no objection.

Mr. JONES of Texas. Mr. Chairman, I rise to support the amendment of my colleague. I see here on page 41 of the hearings that Dr. Taylor states:

In a general way, the cost of producing wheat showed a range from about \$1 a bushel up to about \$5 a bushel on the different farms in Kansas.

That indicates the wide range of information that they get, and the lack of accuracy in connection with it. But over here on page 55 it says:

The farm-life studies all look toward a study of the methods of improving country life and making it more attractive from the standpoint of the home and the community, but with the greater emphasis here upon the community and the development of right relations in the community. I should say that this work at the present time is in this stage, that communities that have a better organized life and a more satisfactory country life are being studied and the results being published with a view to stimulating leadership in other communities where less development has taken place, but it all centers upon making farm life more attractive and keeping in the country the better element of our rural population.

I submit that there has been too much attention paid recently to efforts on the part of various people to try to make farm life more attractive. There is always some sort of an uplifter going around who imagines that by the waving of a magic wand or through some subtle process he will be able to make farm life attractive, and bewails the fact that there are many conveniences which men have in the cities which men in the country do not possess. There is one sure way, and only one sure way, to make farm life attractive, and that is to make it profitable, and then these other things will come in the natural course of events. They do not have these conveniences now, not because they do not appreciate them, not because they do not wish to have them, but because farm life is not profitable.

Now, I submit you are not going to get anywhere with the kind of conduct and the character of investigations that are shown to have been carried on by the people under this appropriation, and I believe that we could very much better afford to appropriate more to some bureau or organization of government that is trying to get a better system of distribution in this country. That is the real problem. [Applause.]

Even if you are going to make this appropriation, I would rather transfer it to the Bureau of Markets or strike it out altogether. I would transfer it to the Bureau of Markets, where something tangible and real is under investigation, and through which information of real value is being furnished.

Mr. BLANTON. I want to call attention to the splendid proposition which our colleague [Mr. SUMNERS of Texas] has now brought in to relieve that very situation. At present he can not get it out of committee.

Mr. JONES of Texas. I am glad the gentleman suggested that. I have taken occasion to read the measure of our colleague and his comments in reference to the same, and I believe that his bill is practical with reference to a method of distribution. There are many articles and commodities in the United States for which the producer gets very little but before they reach the consumer the consumer must pay high prices.

If we refer such matters to the bureau in the department that is doing something worth while, there would be some excuse for it; but to appropriate half a million dollars to some people who are investigating something that is of no value, either to the producer or the consumer, is pure folly. I suggest that all we are able to appropriate by the Government at this time should be appropriated toward securing a method of distribution in this country, and the studies that are carried on in the Department of Agriculture should be devoted primarily to the investigation of better methods of distribution in the United States. For that reason I think the paragraph ought to go out. [Applause.]

Much has been said recently of the necessity of securing some measure of relief for the farmers and stockmen of this country. All men agree that practically all the farm produce that has been grown this year and practically all the stock have been sold at less than the cost of production. This is a condition which can not continue if this country is to flourish and the prosperity of the Nation is to endure. This situation brings directly before Congress and before the people the most serious and important problem that the Republic has faced in many years.

As a matter of fact, one of the greatest causes of the trouble is that so many people are living in the cities and too few people are living in the country, and too few people are willing to undergo the burdens of farm life. This condition is getting worse. In the early part of the history of this country only about 15 per cent. of the people lived in the city, and there were then no large cities. In those days about 85 per cent lived in the country. Even 40 years ago 35 per cent lived in the cities and 65 per cent lived in the country. At the present time, according to the latest statistics which are available, about 51.4 per cent of the people of the United States live in cities and towns of more than 2,500 population.

From time to time we have heard statements on the floor of the House to the effect that farm life should be made more attractive; that organizations should be promoted and maintained which would cause the installation of more modern conveniences and better living conditions under which the farmers, the ranchmen, and stock farmers of America are living. This is all very well. It goes without saying, all these things would be appreciated and enjoyed by the people who live in the country, but to suggest this as a remedy or to start trying to change conditions after this fashion is putting the cart before the horse.

I grew up in the country, and until I was grown I had lived nowhere except on the farm where I was born. This place my father is still running. I know something, therefore, of the practical side of life in the country, and I know that it is idle to talk about bettering living conditions in the country or of making farm life more attractive except in one way, and this is the only way to stop the present drift from the country to the city. The way to accomplish this is to make farm life a paying business. On no other basis will conditions ever be changed, and if farm life is made more profitable the modern conveniences, the attractive places, and all of these other things will follow as mere incidents. They have not come heretofore, not because the people have not wanted them but because of the prevailing prices the farmers and stockmen have received they were not able to afford these things.

If the conditions are changed about so that farm life will be more profitable than life in the cities there will be a real back-to-the-farm tendency. Many people do not appreciate the difficulties under which the farmer labors. Many men do not understand the uncertainties of the seasons, the hardships which he has to face. The drift from the country to the city can not be stopped by a mere slogan. You can not drive the American people by a mere process of lecturing them.

On the other hand, by making country life attractive—and the one way to make it attractive is to make it remunerative, for when people have money they are able to surround themselves with conditions through which they can make life attractive—this question will be in a large measure settled. Compare in your own mind the average home in the country with the average

home in the city; contrast the home equipment, the furniture that the average farmer is able to use as compared with the average man who lives in the town or the city; compare the conveniences of these homes of the city man which the average farmer does not possess; compare the average returns of the man on the farm with that of the man in the city; compare the hours which he works, and you soon know the secret of the desire of the boys to leave the farm and go to the crowded city. The permanent prosperity of every man who lives in a town or city is necessarily dependent upon the prosperity of the man who produces the necessities of life.

It is just as certain as can be that we will never be able to get people to till the soil at the old figure. One can well see the conditions that might prevail if everybody moved to the town. We would all starve, and yet a great many more people could move to the country, not only without starving but with the effect of making conditions better in this country.

In view of the many things that have been said here as to the terrible conditions prevailing and as to the remedies that might be put forward, I thought it wise to submit these thoughts in connection with the solution of the problem.

So my way of thinking there are two ways in which farm conditions in this country may be materially improved: First, by securing a better, more efficient, and less wasteful system of distribution in this country, and, second, by increasing or bettering and furnishing larger markets in foreign countries for the raw products of the land in which we live. As an incident to these a better system of rural credits should be devised.

In my judgment the sudden placing of the graduated system of rediscount rates by the Federal Reserve System all at one time and the consequent headlong deflation was a mistake. Of course, everyone realizes that some deflation was necessary, but such as was necessary should have been begun earlier and done gradually. It is simply the difference between being in a 10-story building and desiring to come down with the choice of two methods—first, to jump out of the window, and, second, to come down the stairs. It seems that those in authority chose the method of jumping out of the window. Practically at the same time this was done those in charge of its operation chose to discontinue the activities of the War Finance Corporation. In my judgment the Congress acted very wisely in reviving the work of this body, as it will tend to give us better markets in this country and abroad for the raw products of America.

We must have a better marketing system in this country. A plan must be devised to secure for the producer a larger percentage of what the ultimate consumer pays. We have always paid too much attention to forms and not enough attention to the substance of things. If we will transfer in this bill the appropriations and the activities from some of the useless things to the far more useful and practical problem of bringing the producer and consumer in closer touch with each other, we will perform a work that is really worth while.

In my judgment, also, legislation should be enacted to abolish the wild gambling in futures of farm products through which by means of juggling certain persons are able to manipulate the prices of such products in violation of the legitimate laws of supply and demand. Of course, everyone realizes the necessity for legitimate trading exchanges, but the wild, absurd, and speculative gambling should be checked.

There are some men in this House and elsewhere throughout the country who smile in a cynical sort of way when a plea is made for relief for the American farmer. The man who treats lightly the problems of the American farmer is short-sighted. The American producer faces real problems, and his problems are the problems of the whole country and the problems of the human race. I want to say to everyone who does not take this matter seriously that all the busy prosperity of the cities, their skyscrapers, and their towering buildings of brick and marble, which make such inspiring skylines, with all the hum and spin of industry, are alike dependent upon the success of the producer, and their busy wheels will no longer be heard and those evidences of prosperity will become waste places of decay unless the farms and ranches of this country are rehabilitated and opportunity furnished them to share in that prosperity.

The CHAIRMAN. The gentleman from Kansas [Mr. WHITE] is recognized for five minutes.

Mr. WHITE of Kansas. Mr. Chairman, I want to say it is impossible to ascertain accurately the cost of the production of a bushel of wheat. [Applause.] You can not standardize the cost of a bushel of wheat. It can not be done, because the fact is that the circumstances surrounding its production are so varied the production of a bushel of wheat or a pound of beef or a pound of pork or a bushel of any kind of grain

is beset with so many precarious conditions that it is impossible to ascertain or standardize the cost.

I think of all the useless things that I have heard of, this is the most superlatively useless and extravagant item in this bill or in any piece of proposed legislation of which I have knowledge. [Applause.] In my own district on many farms in the last season volunteer wheat yielded from 20 to 30 bushels per acre. But that establishes no precedent; that fixes no rule; that disseminates no valuable information. I say to you, Mr. Chairman, from the viewpoint of a practical farmer, that the greatest stimulus which a slipshod, poor, needy farmer can have is his contiguity to a good farmer. [Applause.]

This bureau is endeavoring to disseminate information that is being disseminated throughout this country by duplicating agencies that are in a far better position to secure and disseminate the information.

I am in favor of this bill. I am going to vote for it. I do not think it is entirely useless. I am in favor of getting the chinch bug, the boll weevil, the blight, and the rust if it can be done. I do not know how much progress has been made in that direction. Very little, I think. Yet I am for it.

We will swat the fly in his good right eye;
We will sing the chinch bug's knell,
And punch a hole in the wicked boll
And send the blight to—destruction.

[Laughter.]

I say to you, gentlemen, that you can ascertain the cost of a pound of steam pretty accurately, and the cost of any kind of a machine that is built for any purpose, but the man who puts wheat in the ground can not tell how big a crop he is going to get. The farmer is a manufacturer, and the farm is his factory and his investment. He must have tools. He must have a big investment in land, in fences, and in labor. Yet he does not know and can not know whether he will have a crop, or half a crop, or a third of a crop, or a failure. That is incident to every line of agriculture throughout this country, North as well as South, and no man knows how many more bushels of corn or wheat, or how many more pounds of beef, or how many more bales of cotton we will produce because of the activities of the Department of Agriculture. But in this particular instance I shall vote for the amendment of the gentleman from Texas to strike out the section and save to the taxpayers approximately one-half million dollars.

Mr. ANDERSON. Mr. Chairman, I am very sorry to see so many of the gentlemen who say they are practical farmers put themselves in disagreement with those who appeared before our committee and asked for items such as this. I think there is no item in the bill behind which the farmers' organizations are as completely united as they are on the proposition of securing costs of production of farm products. Everybody knows, of course, that you can not say dogmatically that it costs \$1 or \$2 a bushel to raise wheat the United States over. Of course, that is ridiculous; but taking the farm as a factory, as my friend from Kansas [Mr. WHITE] says, you can find out whether the operations of that farm are costing too much or not, and if so why they are costing too much. You can have an analysis of those operations that will enable you to determine which one of them as compared with the same operation elsewhere is costing too much.

Mr. WHITE of Kansas. Will the gentleman pardon a question?

Mr. ANDERSON. I have only two minutes, but I yield to my friend from Kansas.

Mr. WHITE of Kansas. Does not the gentleman think the farmer knows as much about his business as men in other lines of business know about theirs?

Mr. ANDERSON. Of course I do, but the farmer has not the facilities for securing his costs which industry generally has, and I am glad to see him taking a leaf out of the book of industry and undertaking to find out what it is costing him to do business—not upon any guesswork basis, but upon the basis of the scientific ascertainment of costs.

Mr. DEMPSEY. Will the gentleman yield for a question?

The CHAIRMAN. The time of the gentleman has expired.

Mr. ANDERSON. I would be glad to yield to the gentleman from New York, but my time has expired.

The CHAIRMAN. The question is on the motion of the gentleman from Texas to strike out the paragraph.

The question being taken, on a division (demanded by Mr. SUMNERS of Texas) there were—ayes 11, noes 51.

Accordingly the motion to strike out the paragraph was rejected.

The Clerk read as follows:

General expenses, Bureau of Farm Management and Farm Economics: For the employment of persons in the city of Washington and elsewhere, furniture, supplies, traveling expenses, rent outside of the District of Columbia, and all other expenses necessary in carrying out the work herein authorized, as follows:

Mr. ANDERSON. Mr. Chairman, I move to strike out the word "Bureau" in line 5, after the words "general expenses," and insert the word "Office."

The CHAIRMAN. The gentleman from Minnesota offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. ANDERSON: Page 4, line 5, strike out the word "Bureau" and insert in lieu thereof the word "Office."

The amendment was agreed to.

Mr. RUBEN. Mr. Chairman, I offer the same amendment in line 16.

Mr. ANDERSON. That has not been read.

The CHAIRMAN. That paragraph has not been read.

Mr. SUMNERS of Texas. Mr. Chairman, a parliamentary inquiry. That language is divided as a paragraph, but it is not a complete sentence. Is it to be regarded as a complete paragraph for the purpose of offering an amendment? It does not appear to be a complete sentence and does not seem to get anywhere.

The CHAIRMAN. The Clerk will read the next paragraph and then the Chair will recognize the gentleman for an amendment.

The Clerk read as follows:

To investigate and encourage the adoption of improved methods of farm management and farm practice, \$325,000: *Provided*, That of this amount \$150,000 may be used in ascertaining the cost of production of the principal staple agricultural products.

Total for Bureau of Farm Management and Farm Economics, \$414,830.

Mr. ANDERSON. I move to strike out, in line 16, the word "Bureau" and insert the word "Office."

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 4, line 16, strike out the word "Bureau" and insert in lieu thereof the word "Office."

The amendment was agreed to.

Mr. SUMNERS of Texas. I move to strike out the entire paragraph.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. SUMNERS of Texas: Page 4, after line 4, strike out lines 5 to 17, inclusive.

Mr. SUMNERS of Texas. Mr. Chairman, I recognize that there is no chance to strike out this item. My opposition to the section of the bill just read does not rest upon any disposition to give the committee trouble, but upon what I believe to be a violation of the duty and obligation of the American Congress in dealing with the great business of agriculture and dealing with the finances of a tax-burdened people. I listened to the gentleman in charge of this bill for some justification, for some reason, for not taking this money from where it is appropriated by this section and putting it where it would do some service, or otherwise leaving it in the Treasury. If these committees, if these bureaus, are to hold the confidence of the American people, they must quit spending money to get information which can not be applied definitely to any practical benefit. There are no more practical persons than the farmers in this country, and when you take a half million dollars almost from the people to find out what it costs to produce things that everybody knows are selling below the cost of production and they can not help themselves, they have the right to know why, and why this tax burden. It is not sufficient to say it might do some good, though none has been shown. But the question is, Will it do more good than if otherwise expended? The big fact is known.

We know that the commodities are being sold for less than the cost of production. How much more sure can we be made? What are you going to do with the information when you know that the farmer who is given the information is not getting the cost of production and knows it? If we have any money to spend let us spend it to increase his power to defend himself against the situation. That is what he needs. He needs an opportunity to make the situation better. I challenge anybody on either side of the House to show that the farmers are going to get any benefit out of this information. Yet he is compelled out of his poverty to pay this tax. It is money taken from his children. It is not right.

Mr. FESS. Will the gentleman yield?

Mr. SUMNERS of Texas. I will.

Mr. FESS. The gentleman is a member of the Committee on Agriculture.

Mr. SUMNERS of Texas. No; I do not possess that honor.

Mr. FESS. The gentleman has impressed himself on the Members of the House, including myself, as one who knows considerable about agriculture. I want to ask him whether he is convinced that the expenditure of this money is useless?

Mr. SUMNERS of Texas. It is pretty hard to say whether it is utterly useless.

Mr. FESS. It amounts to nearly half a million dollars.

Mr. SUMNERS of Texas. I can say without any question that in my judgment it is an extravagant and an unjustifiable waste of the public money. That is what I say about it. If gentlemen will examine the hearings made by the committee on this bill they will see that they want to study the life history of the casual laborer that goes into the wheat fields of the Northwest. They want to study the different sorts of insurance policies and help the farmer out on that. They want to study how much you should use a tractor and how much an ordinary plow, and then bring that information back here and give it out.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAYBURN. Mr. Chairman, I ask unanimous consent that my colleague have five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SUMNERS of Texas. Now, to give you a sample, and this is the only one where there was any detailed information in this whole hearing, I have already referred to it. Listen to me. In 1918 they sent out a bunch of fellows—and this is the business for which you are asked to appropriate the money of the people—in 1918 they sent out people to interview farmers of the South—I believe it was in the spring of 1919—to study the production cost of the 1918 crop. They found the difference in the cost of cotton production ranging from 8 cents to \$1.07 a pound. They made some averages. Then they brought that information back here, and in the fall of 1919 they mimeographed it and sent it out to the farmers from whom they had gotten the information, and published it as a bulletin in the fall of 1920. The cotton had been sold before the study began.

Take my own country, on my own farm; this year we planted cotton three times, and it cost to produce that cotton, let us say, 50 cents a pound. As a matter of fact, we did not gather any. The men where the boll weevil did not get at it possibly raised it for 20 to 35 cents a pound. It does not make any difference whether it cost me 50 cents a pound or cost the other man 20 cents a pound, when we bring the cotton to the market we get the same price. You get nowhere with this information. Maybe next year the situation will be reversed. There is nothing of use gotten which the farm demonstrators could not get.

Mr. ANDERSON. Will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. ANDERSON. Of course, if anybody could suggest means by which you could modify the methods of raising cotton so as to decrease the cost of production, you would make more money.

Mr. SUMNERS of Texas. Oh, yes; we know the way to do that. The man on my place is an excellent practical cotton farmer. Under good conditions, if the weevil would stay away, and the rains come right, we could do it.

These folks can not help us. What good will it do us to tell us what it cost to raise cotton, the average cost, year before last, or last year even?

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. SUMMERS of Washington. If it could be shown that the cotton farmer was losing money on cotton and he was making money on corn and other crops, that might be of some service.

Mr. SUMNERS of Texas. Yes; but we know about that. This year it happens to be a good year for corn, but next year during July or August there may come a drought and we will not make a nubbin. Does the gentleman think we have got to have a fellow running around in a Ford car at our expense to tell us all that? [Laughter.] We know just about as much in reference to that as any man that ever turned a wheel on a car. We have had enough time paying for what we must have. What we want is a better chance to get more for what we raise, and not take the money out of the pockets of the farmers to pay the expenses of a lot of fellows who are keeping the roads hot.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. JOHNSON of Mississippi. Does not the gentleman think it would be better to take this money and appropriate it for

some market system for the farmers which would be more remunerative?

Mr. SUMNERS of Texas. Well, I have talked so much about that and have plead so long with the Agricultural Committee and with the House for help there, and have had no better success than I am having in trying to defeat this item. We know that he needs help in the sale and distribution of his crops. That is where the nerve center of agriculture is located, and if we would take this money and put it there, and put these people to work who are riding on the backs of the farmers of this country, trying to tell men who know more than they do, then we might get somewhere.

The time is coming when the men who plow in this country are going to revolt against this sort of taxation and demand of the American Congress that the money taken from the sale of the products of his farm shall be given back in value. Gentlemen supporting this appropriation say that the manufacturer must know the cost of production. Certainly he must. He can use it. He can write that cost price into the sale price of his product. He is able to write the cost of production plus a profit into the price of his commodity, but the farmer sells in a restricted market to the highest bidder, and everybody knows it. I want to spend this money in helping to put the farmer into position to have something to say with regard to price, instead of wasting it for information which he can not use. What good does it do to tell the farmer that he loses 5 cents or 3 cents? It does not make any difference to him. If the market is 5 cents low, he loses it, and if it 3 cents low he loses that.

Summing up this whole matter, this item is made up of office expenses in Washington, printing, telegraphing, traveling expenses, and so forth. Most of it goes to these expense items and to salaries of "experts." Then after this overhead is taken care of there is not much left, but enough money left out of the \$414,830 to put about 20 men in the field. That seems to be the number of regular outside men. They "study" farm organization, farm finance, farm labor, agricultural history, land economics, get up, or rather work at helping with farm lease contracts, and so forth—"studying" why farm lands have gone up, conducting "rural-life studies," and production cost. For every one of these "studiers" in the field, the people who are being "studied," together with the other taxpayers, are putting up \$20,741 in money.

That is a pretty healthy sum, under a condition like the present, to ask a tax-burdened people to pay for this work of most uncertain value, to say the least of it.

This looks like we are hard pressed to find an excuse to tax the American people. This item ought to be stricken from this bill and this money shifted to the place where the farmers of this country need help.

They need help to reach a condition of economic strength so that they can write into the selling price of their commodities the average cost of production plus a reasonable profit, just as the manufacturer does. I suppose this spring they will "study" the cost of last year's cotton crop. Next fall they will give the farmers who had been "studied" the figures to show that it had been sold below the cost of production, and the next year print a bulletin on the subject, and we will make the people pay for it. Such transactions as this will make up a great record for this "economy Congress."

The CHAIRMAN. The time of the gentleman from Texas has again expired. The question is on the amendment offered by the gentleman from Texas.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 8, noes 30.

So the amendment was rejected.

The Clerk read as follows:

For the maintenance of a printing office in the city of Washington for the printing of weather maps, bulletins, circulars, forms, and other publications, including the pay of additional employees, when necessary, \$11,450: *Provided*, That no printing shall be done by the Weather Bureau that, in the judgment of the Secretary of Agriculture, can be done at the Government Printing Office without impairing the service of said bureau.

Mr. KIESS. Mr. Chairman, I make the point of order against the paragraph, beginning with line 11 and ending with line 18 on page 7. It repeals existing law. I read from page 1270, volume 40, Statute at Large:

That on and after July 1, 1919, all printing and binding, blank-book work, for Congress, the executive office, the judiciary, and every executive department, independent office and establishment of the Government shall be done at the Government Printing Office, except such classes of work as shall be deemed by the Joint Committee on Printing to be urgent or necessary to have done elsewhere than in the District of Columbia, for the exclusive use of any field service outside of said District.

The CHAIRMAN. Does the gentleman from Minnesota desire to be heard on the point of order?

Mr. ANDERSON. Mr. Chairman, may I inquire whether the point of order is against the entire paragraph or the proviso?

Mr. KIESS. The entire paragraph, beginning with line 11 and including line 18. I might say, Mr. Chairman, that it is not the intention of the Joint Committee on Printing to prevent the printing of weather maps at this printing establishment.

Mr. ANDERSON. That is what the gentleman is doing when he strikes this out.

Mr. KIESS. They can come to the joint committee and get permission. The trouble is that each department of the Government that maintains a printing office wants to have the authority to have all its printing done there. The policy as laid down by Congress is to have all printing done at the Government Printing Office when it can be done cheaper than elsewhere. Making the point of order against this paragraph is in the interest of economy and not with the intention of hindering the work of the Weather Bureau. This point of order has been made before on a similar bill, and the bureau came to the Joint Committee on Printing and received permission to do such printing as they could show was necessary to have done at their plant.

Mr. ANDERSON. Mr. Chairman, I am not prepared to sustain the item against the point of order made by the gentleman from Pennsylvania. If the gentleman insists on the point of order, it will have to go out. I know of no statute which authorizes this printing to be done in the Weather Bureau. Of course, the effect of the point of order will be that the Weather Bureau will have no money with which to print maps, and the maps will not be printed.

The CHAIRMAN. It seems very clear to the Chair, in view of the act approved March 1, 1919, a portion of which was just read by the gentleman from Pennsylvania, that the Chair must sustain the point of order. The Chair, therefore, sustains the point of order, and the Clerk will read.

The Clerk read as follows:

For necessary expenses outside of the city of Washington incident to collecting and disseminating meteorological, climatological, and marine information, and for investigations in meteorology, climatology, seismology, volcanology, evaporation, and aerology, \$1,300,110.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I move to strike out the last word for the purpose of calling attention to the fact that this is a lump-sum appropriation, a departure by the committee that framed this bill from the policy that has been followed by former committees and approved by the House. This is a lump sum, with no direction to the department as to how it shall be expended; and the statement made by the bureau is simply that they would like to have a lump sum, so as to spend it as they please. When we grant their request, we cut all the strings and let them expend the entire sum as they wish. Up to this time it has not been thought advisable to do that. There may be some reason now that I do not know of that would justify a lump sum.

Mr. RUBEEY. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. RUBEEY. This identical language has been carried in the bill since 1912 and appropriations under it have been made. Last year there was appropriated the same amount appropriated this year.

Mr. McLAUGHLIN of Michigan. But the gentleman will notice that in the bill of last year, following the sum of \$1,303,000, just a little more than the amount carried this year, are the following words:

Including not to exceed \$700,000 for salaries, \$129,040 for special observations and reports, and \$295,750 for telegraphing and telephoning.

It seemed wise to the committee last year and to the Congress last year to divide that up and to specify and limit the amount that could be spent for each line of work, and this dividing up and specifying is in line with the insistent demand of the House year after year. This committee and other committees have been criticized for making lump-sum appropriations. Some of them are necessary; some of them are not; but in response to the insistent demand that there be specification wherever possible we have specified in many, many cases. This is one of the cases in which the total amount was divided and direction given to the bureau as to how much should be spent for each particular line of work. There may be some reason why the committee thinks in this work the string should be cut and the department should be permitted to spend this entire sum of money of more than a million dollars as it may please, but until I hear an explanation I shall have to think that the action of the present committee is unwise. Will the gentleman from Minnesota make no answer to my suggestion? I did not offer an amendment; my remarks were intended as an inquiry.

Mr. ANDERSON. Mr. Chairman, of course I did not intend to be discourteous; I did not know the gentleman had finished his statement. There was no particular point in striking out

the language which divided the entire appropriation into three items, \$700,000 for salaries, \$129,040 for special observations and reports, and \$295,750 for telegraphing and telephoning. However, the head of the bureau was of the opinion that the segregation of these items resulted in a lack of flexibility in the use of the entire appropriation which prevented its best utilization. However, I am so anxious to defer to the opinion of the gentlemen who have heretofore considered this appropriation that I take the liberty of offering an amendment to insert the following language:

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 7, line 23, after the figures "\$1,300,110," insert a comma and add: "including not to exceed \$697,080 for salaries, \$129,040 for special observations and reports, and \$295,750 for telegraphing and telephoning."

The CHAIRMAN. Does the gentleman from Minnesota desire to be heard on his amendment?

Mr. ANDERSON. Just a moment. The gentleman from Michigan will observe the item for salaries is somewhat less in my amendment than in the current year, and this is, of course, due to the practice, with which the gentleman is familiar, of transferring clerical positions to the clerical roll. We have reduced the amount of salaries by the sums thus transferred.

Mr. BANKHEAD. Will the gentleman permit a brief question really for information? I see this paragraph carries an appropriation for the study, and so forth, of volcanology. Are there any volcanoes within the jurisdiction of the Department of Agriculture?

Mr. ANDERSON. The gentleman from Michigan can tell more than I can, but I understand this is in reference to the study of volcanoes in Hawaii.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, as the gentleman from Minnesota says, volcanology is carried on, or rather the proposition of studying volcanoes in Hawaii, and for a time it was done at private expense, the money needed being provided partly by private subscription and partly from the Massachusetts School of Technology, I believe, and by scientific men over the country and in the islands of Hawaii; but there came a time when they thought the importance of it justified it being taken over by the Government, and several years ago, at the suggestion of the Committee on Agriculture, the word "volcanology" was added to this item and the amount carried by the item was slightly increased so as to provide a few thousand dollars for carrying on that work in Hawaii.

Mr. BANKHEAD. Well, do the activities of volcanoes in Hawaii seriously affect agricultural interests?

Mr. McLAUGHLIN of Michigan. Well, volcanoes there are rather active and there have been times when there has been considerable destruction and loss of property by the eruption of volcanoes, but they are there making investigations of a general character which they consider of value to the entire country and for the world. Gentlemen of scientific attainments are in charge of the work and they have expensive and delicate instruments that are in operation and are watched and records made of them all the time.

Mr. BANKHEAD. Does any other bureau of the Government undertake a study of this same question other than the Department of Agriculture?

Mr. McLAUGHLIN of Michigan. None.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For official traveling expenses, \$30,000.

Mr. HAYDEN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. HAYDEN: Page 7, after line 24, insert: "For the maintenance of a highway weather service for the collection of reports concerning the effects of weather on public highways, and the issuing of advice, forecasts, and warnings in the aid of highway travel, in cooperation with Federal, State, and local agencies, including salaries, travel, and all other expenses in the city of Washington and elsewhere, \$20,000."

Mr. ANDERSON. Mr. Chairman, I reserve a point of order on the amendment.

Mr. HAYDEN. Mr. Chairman, the amendment which I have offered is clearly within the provisions of law creating the Weather Bureau, and I therefore doubt very much whether it is subject to a point of order. As to the merits of the amendment—

Mr. BLANTON. Mr. Chairman, it being legislation, I make the point of order.

The CHAIRMAN. The gentleman from Texas makes the point of order. Does the gentleman from Arizona care to discuss the point of order?

Mr. HAYDEN. Mr. Chairman, the amendment provides for nothing but a forecast of weather conditions on the public highways. If the Weather Bureau can make forecasts of weather conditions everywhere in the United States, certainly the bureau may make such forecasts in any part of the territory of the United States, such as a highway.

Mr. BLANTON. If the Chair is in doubt about it, I would like to be heard.

The CHAIRMAN. Has the gentleman from Arizona [Mr. HAYDEN] finished?

Mr. HAYDEN. The conclusion which I have pointed out is so obvious that further argument is unnecessary.

Mr. BLANTON. Mr. Chairman, there is no law authorizing the Department of Agriculture to make observations with respect to weather conditions and their effect upon highways. It is entirely a new departure and a new department.

Mr. HAYDEN. This project is not new. It was first undertaken in the winter of 1917 and 1918 to aid the Army Transport Service by furnishing information as to the conditions of the roads over which motor-truck convoys passed.

Mr. BLANTON. I mean there is no law at present authorizing it. The gentleman from Arizona can not cite the Chair to any substantive law authorizing it, and it is only in the interest of protecting the legislative committees in their proper function and authority that I make the point of order, although I am heartily in favor of the proposition that the gentleman seeks to put on this bill.

Mr. HAYDEN. The easiest and quickest way to have my amendment included in the bill is for the gentleman from Texas to withdraw the point of order. It seems to me, Mr. Chairman, that the time has arrived when Congress should recognize the great use that is made of the automobile all over the United States in interstate traffic. There are now thousands of people who travel from one State to another, and this important service of information which was found to be so valuable during the war should be continued.

The CHAIRMAN. If the gentleman from Arizona will permit, just what activity will be benefited should his amendment become law—agriculture, commerce, or navigation?

Mr. HAYDEN. The enactment of such legislation is in the interest of the general welfare of the people of the United States. Certainly it would benefit commerce, which has been defined by the Supreme Court to be any kind of intercourse between the people of different communities or of different States.

Mr. WINGO. Mr. Chairman, I do not care to go into the merits of the amendment, because that is neither here nor there. I want to confine myself to the very interesting parliamentary point of order. As I understand the organic law, it limits the activities of the Weather Bureau to such activities as would benefit commerce, agriculture, and navigation. Is that it?

Mr. HAYDEN. The gentleman from Arkansas is, as usual, correct in his statement.

Mr. WINGO. Now, commerce, agriculture, and navigation cover about all of the activities of the human race. I suggest to the logical processes of the mind of the chairman that if under the organic law you can provide for bulletins to protect one type of navigator—a sea captain or a captain of a coastwise vessel—and warn him of a storm that might put his vessel on a reef, then would it not be permissible under the organic law to provide for a service which might warn the "captain" of a Ford car when the weather was going to run his vessel of navigation into a mudhole? Of course, I intend to be serious, but I see that some of my philosophic friends evidently have discovered a weakness in the philosophy that I present to the Chair. In all seriousness, I suggest that the Weather Bureau was created for the purpose of advising the general public about the weather and not about any particular kind of weather or particular kind of boat or means of navigation. And I submit that it is not any more possible for a man to get seasick on a stormy sea in a coastwise vessel than if he were riding in a palatial Ford along some country roads in Arizona. And I hope the Chair will also take this view—that there is something in the public welfare. If it were a constitutional question, I would appeal to the general welfare clause of the Constitution, because if reports that have been circulated in my part of the universe are true, if the weather man can improve some of the roads in my friend's State, it would be conducive not only to commerce and navigation, but also to agriculture, because I think it would help to increase the pleasure of some of my agriculturists who travel in his district.

Mr. FOCHT. It has been suggested over here as to how far those agents of the department who travel in Ford cars might be involved in this.

Mr. WINGO. If the gentleman has discovered where by spending the paltry sum of \$20,000 he can improve the roads as well as the weather, if he can use that to improve the public roads, I say strength to his arm and wisdom to the Chair in sustaining his amendment.

Mr. ANDERSON. Mr. Chairman, I did not intend to make the point of order, but as long as it has been made it is important that it should be determined correctly. I assume the weather is not different over the highways than anywhere else in their vicinity, and that the general authority of the Weather Bureau would apply with respect to a weather service directed particularly to informing motorists as to what the weather was going to be just as much as to anyone else. But the language which I think is questionable is the language in the first part of the amendment, namely:

For the maintenance of a highway weather service.

I think that is all right. Then it says:

For the collection of reports concerning the effect of weather on public highways.

I do not think there is any law which authorizes the Weather Bureau to make reports concerning the effects of the weather upon public highways. It has authority to report what the weather is in the vicinity of the highways, but I do not think it has the authority to investigate the effects of the weather upon the highways. And that part of the amendment, I think, is clearly subject to a point of order.

The CHAIRMAN. The Chair will rule. This amendment brings up a rather close question, in the opinion of the Chair. The Chair feels it is impossible for him to determine which of the three activities enumerated in the act creating the Weather Bureau will be benefited. He also doubts if the authorization is broad enough to cover a specific case outside the three mentioned. This amendment is to ascertain "the effect on public highways," and the Chair doubts very much if the law contemplated that a specific subject of that kind should be included. The Chair, therefore, sustains the point of order. The Clerk will read.

Mr. WINGO. In order that I may grasp the significance of the Chair's ruling, I understand that he says the part is not included in the whole?

The Clerk read as follows:

For the maintenance of stations, for observing, measuring, and investigating atmospheric phenomena, including salaries, travel, and other expenses in the city of Washington and elsewhere, \$81,020.

Mr. HAUGEN. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. ANDERSON. Let us have the point of order determined.

The CHAIRMAN. Will the gentleman kindly make his point of order and specify what it is?

Mr. HAUGEN. It is not authorized by law.

Mr. ANDERSON. Mr. Chairman, I do not know whether the Chair is familiar with the history of the Weather Bureau or not, but my impression is that the Weather Bureau is the successor of the Signal Service, which originated in the War Department. The law provides that "the civilian duties now performed by the Signal Corps of the Army shall hereafter devolve upon the bureau to be known as the Weather Bureau," and so forth. Then the following section provides what the duties and powers of the Chief of the Weather Bureau are, and those duties are very broad:

That the Chief of the Weather Bureau, under the direction of the Secretary of Agriculture, on and after July 1, 1891, shall have charge of the forecasting of the weather, the issue of storm warnings, the display of weather and flood signals for the benefit of agriculture, commerce, and navigation, the gauging and reporting of rivers, the maintenance and operation of seacoast telegraph lines, and the collection and transmission of marine intelligence for the benefit of commerce and navigation, the reporting of temperature and rainfall conditions for the cotton interests, the display of frost and cold-wave signals, the distribution—

A very wide power here—

the distribution of meteorological information in the interests of agriculture and commerce, and the taking of such meteorological observations as may be necessary to establish and record the climatic conditions of the United States, or as are essential for the proper execution of the foregoing duties.

That is a very broad power. Now, I assume that the language in the proposed item which attracted the attention of the distinguished gentleman from Iowa [Mr. HAUGEN] is the language "for the maintenance of stations." I desire to direct the attention of the Chair to this language in the law touching the Weather Bureau and its predecessor, the Signal Service of the Army:

The Secretary of War shall provide, in the system of observations and reports in charge of the Chief Signal Officer of the Army, for such stations, reports, and signals as may be found necessary for the benefit of agriculture and commercial interests.

The CHAIRMAN. Where is that found?

Mr. ANDERSON. That is in Revised Statutes, section 222. It is still applicable to the Weather Service, and I think it clearly authorizes the work proposed to be done under the item now under consideration.

Mr. HAUGEN. Mr. Chairman, I withdraw the point of order. I was under a misapprehension.

The CHAIRMAN. The gentleman from Iowa withdraws the point of order, and the Clerk will read.

Mr. HAYDEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Arizona offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HAYDEN: Page 8, after line 4, insert: "For the establishment and maintenance of special stations in national forests and elsewhere, the collection of reports, and the issuing of forecasts and warnings in connection with the protection of forests from fires, in cooperation with the Forest Service, State, and other organizations, including salaries, travel, and other expenses in the city of Washington and elsewhere, \$15,000."

Mr. ANDERSON. Mr. Chairman, I reserve a point of order on that.

Mr. HAYDEN. Mr. Chairman, I am sure that my amendment is not subject to any point of order. As to the merits of the question, it seems to me that, with millions of dollars' worth of timber in the national forests which can be protected by a comprehensive scheme of this kind, so small an appropriation as \$15,000 is fully justified. Everyone realizes the enormous losses that occur each year by fires in the forest reserves. Heretofore Congress has provided for combating forest fires in a sporadic sort of way by doing simply what was necessary to be done when a fire occurs. There has been no general study of the fire hazard with a view to finding means to reduce it.

The Weather Bureau is the best available agency to collate data relating to the probable occurrence of fires and with such data as a basis to make predictions and issue warnings. I am confident that a practical plan can be worked out in cooperation with the Forest Service which will save vast quantities of timber from destruction. The average amount annually expended by the Federal Government in fighting fires in the national forests since 1910 is \$750,000. If this small appropriation has no other effect than to reduce that huge sum it will be fully justified. Whether we have much faith in the plan or not, the interests affected are so enormous that there can be no harm in giving the Weather Bureau an opportunity to demonstrate what may be accomplished by a good forecaster with his instruments and assistants.

The CHAIRMAN. Does the gentleman from Minnesota make the point of order?

Mr. ANDERSON. I withdraw the reservation of the point of order.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Arizona.

Mr. ANDERSON. Mr. Chairman, I desire to be heard on the amendment.

The CHAIRMAN. The gentleman from Minnesota is recognized.

Mr. ANDERSON. Mr. Chairman, the effect of this item is to provide a separate appropriation for work already being done in the department. This work is being done under the general authority of the Weather Bureau, and we think that it is being done to an extent that the present condition of the Treasury justifies. There is no doubt that the reports of the weather service in the national forests are of value. But they propose now to send half a dozen new men out over the forests to make general observations with respect to weather conditions in the national forest districts. There is no necessity for expanding the work in that way. It is being done adequately now, and there is no need whatever for putting into the bill a new item carrying this particular appropriation.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Arizona.

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. ANDERSON. Mr. Chairman, I ask for a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 12, noes 33.

So the amendment was rejected.

Mr. HAYDEN. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Arizona offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HAYDEN: Page 8, after line 4, insert: "For the maintenance of a highway weather service and the issuing of advices, forecasts, and warnings in aid of highway travel in cooperation with Federal, State, and local agencies, \$20,000."

Mr. BLANTON. Mr. Chairman, I make a point of order on that.

The CHAIRMAN. The gentleman from Texas makes a point of order on the amendment.

Mr. HAYDEN. Mr. Chairman, I believe I have so amended the amendment on which the Chair ruled before as to bring it clearly within the rule. I have stricken out the matter referred to by the gentleman from Minnesota as objectionable.

The CHAIRMAN. Does the gentleman desire to be heard on the point of order?

Mr. BLANTON. Mr. Chairman, I think it should be decided on the same rule that the other point was decided on, and I do not think it necessary to take up the time of the House.

Mr. ANDERSON. Special reports are clearly authorized by the law which applies to the Weather Bureau, and, while I shall oppose the amendment, I do not think in its present form it is subject to a point of order.

Mr. WINGO. Mr. Chairman, in the present form it remedies the defects of the former amendment. There is nothing in the rules of the House or in the organic act to say that Congress in the exercise of its power can not for the sake of convenience or administration properly segregate or hold down or limit an appropriation by which you undertake to have some definite expenditure for the purpose for which the original act was passed and the money appropriated.

Mr. BLANTON. Mr. Chairman, the Chair will remember that this question has been decided many times on points of order that have been made against what is known as the continuation of the United States Employment Service. In trying to get an appropriation of \$10,000,000 for that service parties in their amendments used the very language of the act creating the Department of Labor, recited the very language of the act creating that department in behalf of labor. In that amendment they tacked onto that an appropriation for \$10,000,000. The distinguished parliamentarian from Tennessee [Mr. GARRETT] happened to be in the chair, and decided that very question, that under the general law or under the general provision you could not make in order an amendment for some specific purpose under that act where it was clearly legislation. On four different occasions the distinguished Chairman [Mr. GARRETT] sustained the point of order.

Later on the authority in the House changed, and the distinguished parliamentarian from Connecticut [Mr. TILSON], whom the Speaker designated this morning to preside over the House of Representatives next Monday as Speaker pro tempore, was presiding over the Committee of the Whole, and that same question was raised, and the distinguished gentleman from Connecticut again decided the question against this very proposition. Later on, only two weeks ago, the distinguished parliamentarian from Massachusetts [Mr. WALSH] happened to be in the chair presiding over the committee, and this identical question was again raised in the House and decided in accordance with the precedents laid down in the House to which I have already referred.

Mr. BYRNS of Tennessee. Mr. Chairman, as I heard the amendment read it provides for cooperation of the States in the expenditure of this appropriation. It may be and doubtless is true, as the gentleman from Minnesota says, that the Congress is authorized to make appropriations for special observations, but I submit that an amendment which undertakes to provide that an appropriation shall be spent in cooperation with the States clearly carries legislation, and is therefore subject to the point of order.

Mr. HAYDEN. The gentleman will concede that there is a substantial saving of money to the Treasury by cooperation with the State.

Mr. BYRNS of Tennessee. As a matter of fact, I think the whole appropriation will be wasted, because I do not see that any value will be obtained by the expenditure of money for this purpose. I had a letter the other day from the president of an automobile club in my own home city. His attention had been called in some way to this estimate.

He was speaking on the general subject of economy, but he urged this instance as one showing the absolute disregard in that particular of the department to economy, because, as he said, this is just what the automobile clubs all over the country are doing. They are reporting to their various associations here and there as to the condition of the highways, and certainly the information which they obtain is more direct and more to be depended upon than any that can be obtained in this way, relative to the condition of roads.

Mr. HAYDEN. The American Automobile Association is very earnestly in favor of this, and I can say the same of my own home State association. The reports made in 1918 and 1919 are valuable and are appreciated by the owners and drivers of automobiles who travel from one place to another, and they

would like to see the service continued. Automobilists all over the United States will more and more demand this service, and I am satisfied that ultimately the service will be rendered to the people.

Mr. BLANTON. Will the gentleman from Tennessee [Mr. BYRNS] yield?

Mr. BYRNS of Tennessee. If I have the floor.

Mr. BLANTON. To come within the Holman rule, must not the amendment be shown to clearly retrench and save expenditure in public money?

Mr. BYRNS of Tennessee. The gentleman is clearly correct. Of course, this could not be considered to come within the Holman rule, because the bill carries no appropriation for this specific purpose. Therefore it could not on its face show any retrenchment of amounts carried in the bill.

The CHAIRMAN. The Chair will rule. The Chair has listened with interest to the gentleman from Texas and the gentleman from Tennessee. He feels that the gentleman from Tennessee predicated his observations probably largely upon the precedent that we have in Hinds in which, on an amendment, the Weather Bureau was directed to cooperate with the States, and because of that wording it was ruled out of order. The Chair ventures the assertion that there is no direction of authority in this amendment. The Chair feels that under the broad authority creating the Weather Bureau for the public good, and on which the only limitation so far as the Chair can ascertain is that it shall be for the benefit of agriculture, commerce, or navigation, and as this is clearly for the benefit of one of those three—

Mr. BLANTON. Which one, Mr. Chairman?

The CHAIRMAN. Preferably agriculture, for highways are of vital importance to the farmers. The Chair feels that this amendment comes within the law creating the Weather Bureau and therefore overrules the point of order.

Mr. HAYDEN. Mr. Chairman, on the merits of the amendment, permit me to say that the American Automobile Association and a number of State automobile organizations have found this service to be of such value that they have recommended to Congress that an appropriation of this character be made.

Mr. CARAWAY. In what way will this service help a man with an automobile?

Mr. HAYDEN. The gentleman from Arkansas realizes that a vast and increasing number of people travel from place to place in the United States by automobile. This highway weather service is particularly valuable to the tourist where improved roads have not been constructed for the entire length of his journey. Of course, if one could travel the whole distance over a paved highway the state of the weather would not make much difference. But where the highways have not been improved, as is usually the case, it is highly important for a tourist to know in advance the condition of the road over which he proposes to travel. If up-to-date and accurate information can be furnished in advance, it will be entirely practicable in many cases for the tourist to make a detour and save himself much difficulty. If this appropriation is made, any tourist will know that he can get an accurate road report from the local Weather Bureau station. This service was instituted and found to be immensely valuable during the period of the war, when great fleets of motor trucks were carrying supplies over the roads of the country.

Mr. CARAWAY. Honestly, does the gentleman expect the Weather Bureau to go out and ascertain whether a bridge has broken down and therefore warn everybody what road to take to get around it?

Mr. HAYDEN. That is exactly what should be done.

Mr. CARAWAY. All right. I realize that Congress will have gone into a rather peculiar line of business when it goes to providing that kind of information to everybody.

Mr. HAYDEN. Congress has provided a Weather Bureau station in every city and town of importance in the United States. One of the principal expenditures under this appropriation will be for telegrams, for the purpose of furnishing accurate and up-to-date information, which can be disseminated by such stations. Let me read from the statement made last December by Dr. Charles F. Marvin, Chief of the Weather Bureau, during the hearings on the Agricultural appropriation bill:

This work was begun during the war, when the State commission of Pennsylvania asked us to give them forecasts as to the weather conditions along the highways through Pennsylvania when the motor trucks were moving eastward, and the work has been so favorably received that we have been asked to extend it elsewhere, and we are now performing this work as far as our limited means will permit at quite a number of our stations.

The work at the present time is almost entirely carried on by mail. There is only a small amount of telegraphic charges connected with it.

Mr. BYRNS. Now, to whom do you send these reports?

Mr. MARVIN. Well, they go to the automobile interests in the different cities where they are issued, and those people have them displayed throughout the cities, at the garages or elsewhere, and the people traveling on the road covered by the report have the advantage of that information before them, and they know the conditions that they are going to meet. It is a very useful thing. I have an abundance of papers and letters here from the motor people and the motoring public in testimony of it.

It is a matter for the committee to determine entirely whether it is one that should be authorized. The fact that the Weather Bureau has this organization throughout the country constitutes a good argument as to why it should do the work.

We have 200 stations scattered all over the country to-day for other purposes, and the men are doing this kind of work. We are furnishing advice and information, and we have the organization and the machinery, and if you will furnish the additional appropriation we can handle it. If you attempt to have the good roads people and the State highway commissioners take up this work, I think it is bound to be more expensive.

Mr. McARTHUR. Will the gentleman yield?

Mr. HAYDEN. I yield to my friend from Oregon.

Mr. McARTHUR. Will it be possible in this forecast to have the Government tell us where the traffic cops will be located? [Laughter.]

Mr. HAYDEN. I hardly think that is a proper function of the Weather Bureau.

Mr. CARAWAY. Doubtless that would be a most useful service.

Mr. HAYDEN. Perhaps it would be exceedingly useful to the gentleman from Oregon. [Laughter.]

Mr. CLEARY. Will the gentleman yield?

Mr. HAYDEN. I yield to the gentleman from New York.

Mr. CLEARY. Is it not true that farmers frequently send farm products from the farm to the railroad station by automobile truck?

Mr. HAYDEN. Certainly.

Mr. CLEARY. And perhaps it would not do to start out with a load of wheat or something of that character if the weather was going to be very stormy. It might damage the load. So they would like to know whether the weather is fit for them to take their produce to market.

Mr. HAYDEN. The gentleman has made a very appropriate suggestion. Vast quantities of perishable agricultural products are now shipped by motor trucks for increasing distances. In order to illustrate the nature of the road reports made by the Weather Bureau, I shall include as a part of my remarks the following bulletin recently issued by the section director at Phoenix, Ariz.:

HIGHWAYS WEATHER BULLETIN.

RIVER CROSSINGS.

The river at Sacaton is dry. However, the crossing is sandy and rough. Crossing is all right for light cars.

APACHE COUNTY.

All roads in good shape except mountain roads, which are unsafe for travel.

COCHISE COUNTY.

Light rain over most of county on 6th, which helped roads considerably. All roads in good condition.

GILA COUNTY.

County forces at work in widening and improving road between Winkelman and Christmas. Work going on in widening county road north of Roosevelt. Contractor at work in reconstruction of portion of Salt River Pleasant Valley Road. General good condition of all roads in the county.

GRAHAM COUNTY.

Graham County roads are in good condition in all parts of the county.

GREENLEE COUNTY.

All roads in first-class condition; all graveled and well packed; no mud or slippery roads anywhere; all streams bridged. Best route between Safford and Clifton is via Duncan.

MARICOPA COUNTY.

Valley roads dusty; coast roads fair; Black Canyon rough; Wickenburg road good; Superior-Florence good; Apache Trail fair. Going to Ajo via Laveen be careful of drain-ditch crossings. Buckeye crossing very good to Gila Bend.

MOHAVE COUNTY.

All main roads in fair condition except Old Trails national highway from Crozier to Hackberry. New construction over Oatman-Topock road makes this temporarily impassable; all traffic is being routed via Yucca. Drivers should be careful in crossing washes.

PIMA COUNTY.

All roads in fair condition except for dust, which has been caused by continued dry weather.

SANTA CRUZ COUNTY.

All county roads in good traveling condition. Light shower on 6th. No damage to county roads.

PINAL COUNTY.

Mesa and mountain roads good. Valley roads very dusty and chunky; no rain.

YUMA COUNTY.

Road from Vicksburg to Ehrenberg in good condition. Ferry service good.

ROBERT Q. GRANT.

Mr. PELL. Will the gentleman yield?

Mr. HAYDEN. I yield to the gentleman from New York.

Mr. PELL. Why are not the ordinary weather reports, such as we now get, sufficient for the drivers of automobiles? I have driven an automobile a good deal, and all I wanted was the weather forecast in the paper, to see what the weather was going to be. You certainly do not expect the department to go into the business of road inspection and turn itself into a bureau of tours?

Mr. HAYDEN. Not entirely that; but with the present facilities of the Weather Bureau it is possible, with very small increased expense, to correctly advise those who intend to travel over the country by automobile as to the condition of the roads.

Mr. PELL. It is a complicated thing to make a road report of the country.

Mr. HAYDEN. The State and local authorities are very glad to cooperate if they can have the assistance of the United States Weather Bureau in this undertaking. As time goes on there will be a much more insistent demand for the service which I am seeking to have supplied by this amendment. Gentlemen may indulge in humorous remarks, but travel by automobile is the serious concern of a great number of American citizens, who will not hesitate to make their wants known in no uncertain manner.

Mr. ANDERSON. Mr. Chairman, of all the ridiculous proposals I have seen in my short experience with appropriations for the Agricultural Department, this is the most ridiculous. There is no more need for a highway weather service than there is for a thirteenth cylinder on a gasoline engine. This proposition is the outgrowth of a service that was performed by the Weather Bureau during the war in connection with the movement of trucks from points in central Ohio and in Michigan to the East, particularly with reference to snow conditions in the mountains, and it was a valuable service as thus conducted. But spread all over the country, with the idea of advising motorists what is the condition of the roads, it is absolutely ridiculous. The Chief of the Weather Bureau brought before the committee a post card on which it was stated the conditions of the roads in a part of Minnesota with which I happen to be familiar. I said then, after reading that post card, I would not know whether to stay at home or go.

In my opinion the service as it is proposed to establish it is so general that it is absolutely useless. Anybody who is going on an automobile journey who wants to know what the weather is going to be can find out from the weather station in the city in which he lives. There is no need of this service. It is a waste of money, and I hope the amendment will not be agreed to.

Mr. WINGO. I can not agree that this proposal is ridiculous. I recall that last year a cloud-burst washed out the bridges on the highways in my own and adjoining county. Many tourists were put to the trouble and loss of time of doubling back and finding another highway. This trouble, expense, and loss of time could have been avoided had the weather service reported the condition of the highway to the public with its daily weather report. At another time in my State a motor corps was delayed and put to great expense for lack of service provided by this amendment. If such service is ridiculous, it is because any weather-reporting service is ridiculous, and I do not so regard it. Oh, I know some gentlemen think the Government was created to tax the people and give no service in return.

Then, again, there are those who regard as ridiculous any service of a practical nature and consent only to such expenditures as are necessary to furnish positions for stargazers and meal tickets for experts. This bill appropriates thousands for saddle-colored messengers to guide Members of Congress from room to room in Government buildings, but this amendment, which would guide the traveling public on the highways in their own vehicles, burning their own and not Government gasoline, is denounced as ridiculous. Quietly resting in the bosom of this bill are provisions that will pay for and maintain a stately carriage and horses to be cared for by a Government employee, and by a Government employee will be used to convey in pomp and dignity a distinguished official from his domicile to his office and return him thence at eventide free from the contaminating touch of the proletariat. Such expenditures are approved by those who regard seed distribution as an improper use of public funds and practical aid to highway navigation and commerce proposed by the pending amendment as ridiculous.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona.

The amendment was rejected.

The Clerk read as follows:

Salaries, Bureau of Animal Industry: Chief of bureau, \$5,000; chief clerk, \$2,500; editor and compiler, \$2,250; executive assistant, \$2,500; 8 executive clerks at \$2,000 each; clerks—12 of class 4, 10 at \$1,680 each, 18 of class 3, 14 at \$1,500 each, 40 of class 2, 8 at \$1,380 each, 20 at \$1,320 each, 45 at \$1,300 each, 8 at \$1,260 each, 120 of class 1,

20 at \$1,100 each, 25 at \$1,080 each, 32 at \$1,000 each, 6 at \$960 each; architect, \$2,000; illustrator, \$1,400; laboratory aid, \$1,200; laboratory helper, \$1,200; 6 laboratory assistants at \$1,200 each; laboratory mechanics—1 \$1,640, 1 \$1,440; carpenters—1 \$1,140, 2 at \$1,000 each; 2 messengers and custodians at \$1,200 each; skilled laborers—1 \$1,200, 3 at \$1,000 each, 11 at \$900 each; painter, \$900; laborers—50 at \$960 each, 2 at \$900 each, 3 at \$780 each; messengers or laborers—11 at \$840 each, 29 at \$720 each; messenger boys—2 at \$660 each, 3 at \$600 each, 5 at \$540 each, 15 at \$480 each; charwomen—1 \$600, 2 at \$540 each, 17 at \$480 each, 5 at \$360 each, 2 at \$300 each, 7 at \$240 each; in all, \$655,050.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I move to strike out the last word. I notice there are a number of changes, the number of clerks employed at certain salaries being decreased or increased, as the case may be, which amounts to a modification of the salaries. I am wondering if it is wise for committees in this way to undertake to establish a change in the salary bases. The idea as to a lot of salaries has been to leave them as they are at the present time and to take care of employees by the payment of a bonus of \$240 each. If, following the recommendation of the head of a bureau, salaries are readjusted to take care of present conditions, all bureaus would have to do it or else there would be a lack of uniformity throughout the department, and then would come the question of whether or not it would be necessary or proper to reenact the bonus provision. It struck me as I looked through the statutory rolls for the different bureaus of the Department of Agriculture, as reported by the gentleman's committee, that perhaps the committee has done too much by way of readjusting salaries.

Mr. ANDERSON. Mr. Chairman, what the committee did in that direction we thought was in the direction of increasing the efficiency of the bureaus, and at the same time reducing the number of employees and the amounts of money carried in the bill. There were a number of instances in which the heads of bureaus represented to us that if they could have a smaller number of places at higher salaries they would reduce the number of clerks at lower salaries, thus effecting not only a reduction in the number of employees but a reduction in the amounts carried by the bill. Take the statutory roll, for instance, about which the gentleman is talking. The existing law carries salaries of clerks amounting to \$505,100. The department estimated for clerks with salaries amounting to \$506,280. The committee allowed clerks involving salaries of \$496,980, a reduction of approximately \$10,000 in that class of employees. So that the result of the committee's labor in this matter we think has been to increase the efficiency of the bureaus and also to reduce the amount of money paid for clerical service.

Mr. McLAUGHLIN of Michigan. But has not the gentleman done just what I say has been done. There has been a general readjustment and a general increase of salaries.

Mr. ANDERSON. No; there has not been a general increase of salaries, because a general increase of salaries would involve more money.

Mr. McLAUGHLIN of Michigan. There has been a general increase of salaries by employing less men and paying those who remain higher salaries than they theretofore received. Consequently it seems to me to be a general revision of salaries and a general increase. It may be all right. I like to see men get good pay, but when one bureau of a department does it, it throws out of joint the entire department, or if all of the bureaus of the department do it, it puts that department out of line with other departments of the Government. Committees having other departments in charge have refused to increase salaries so as to make them in keeping with present conditions, and instead have provided the \$240 bonus.

So it would seem to me that the gentleman has anticipated, or rather made unnecessary, the bonus provision by making a general increase of salaries.

Mr. ANDERSON. There has been no general increase of salaries involved.

Mr. McLAUGHLIN of Michigan. Is not the effect of it as I have stated?

Mr. ANDERSON. Undoubtedly some promotions will result from this rearrangement of the statutory roll, but the rearrangement has been entirely within the authority of the rule, and it has also been, I think, in the interest of efficiency in the service.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. JONES of Texas. Mr. Chairman, I move to strike out the last two words for the purpose of asking a question. For several years the custom was followed of performing tests with reference to blackleg and of distributing blackleg vaccine in the department. I understand that that has been discontinued recently. I do not find any specific appropriation with reference to it in the bill, although it may be covered by some general appropriation. If it has been discontinued, will the gentleman tell me why the department has discontinued it?

Mr. ANDERSON. Mr. Chairman, since the gentleman asked me the question in general debate I have looked into the matter. There has been no change in the language which eliminates the work on blackleg vaccine. It is carried just as it always has been, in the general item for inspection and quarantine work.

Mr. JONES of Texas. I understand that they have discovered a vaccine in the Agricultural College at Manhattan, Kans., which is superior and generally recognized as superior to that which the Government has been using. I am told that those who have this matter in charge in the Department of Agriculture state that the reason they have not adopted and tested much more thoroughly this serum from Kansas is the fact that it is more expensive. Has any provision been made to proceed with an investigation of that serum?

Mr. ANDERSON. The matter was not brought up before our committee in any way.

Mr. JONES of Texas. The matter was brought to the attention of the department, and I was wondering if it might be brought to the attention of the committee.

Mr. ANDERSON. It has not been brought to the attention of the committee in any way.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For investigating the disease of tuberculosis of animals, for its control and eradication, for the tuberculin testing of animals, and for researches concerning the cause of the disease, its modes of spread, and methods of treatment and prevention, including demonstrations, the formation of organizations, and such other means as may be necessary, either independently or in cooperation with farmers, associations, State, Territory, or county authorities, \$1,978,800: *Provided, however*, That in carrying out the purpose of this appropriation, if in the opinion of the Secretary of Agriculture, it shall be necessary to destroy tuberculous animals and to compensate owners for loss thereof, he may, in his discretion, and in accordance with such rules and regulations as he may prescribe, expend in the city of Washington or elsewhere out of the moneys of the appropriation, such sums as he shall determine to be necessary, within the limitations above provided, for the reimbursement of owners of animals so destroyed, in cooperation with such States, Territories, counties, or municipalities, as shall by law or by suitable action in keeping with its authority in the matter, and by rules and regulations adopted and enforced in pursuance thereof, provide inspection of tuberculous animals and for compensation to owners of animals so destroyed, but no part of the money hereby appropriated shall be used in compensating owners of such animals except in cooperation with and supplementary to payments to be made by State, Territory, county, or municipality when condemnation of such animals shall take place; nor shall any payment be made hereunder as compensation for or on account of any such animal destroyed if at the time of inspection or test of such animal, or at the time of condemnation thereof, it shall belong to or be upon the premises of any person, firm, or corporation, to which it has been sold, shipped, or delivered for the purpose of being slaughtered: *Provided further*, That out of the money hereby appropriated no payment as compensation for any tuberculous animal destroyed shall exceed one-third of the difference between the appraised value of such animal and the value of the salvage thereof; that no payment hereunder shall exceed the amount paid or to be paid by the State, Territory, county, or municipality where the animal shall be condemned; and that in no case shall any payment hereunder be more than \$25 for any grade animal or more than \$50 for any pure-bred animal, and no payment shall be made unless the owner has complied with all lawful quarantine regulations.

Mr. BLANTON. Mr. Chairman, I reserve a point of order.

Mr. ANDERSON. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Texas will state his point of order.

Mr. ANDERSON. The gentleman reserves the point of order on what?

Mr. BLANTON. On the whole paragraph.

Mr. ANDERSON. Let us settle it.

Mr. BLANTON. Mr. Chairman, I make the point of order because the proviso requires the department to cooperate with the State departments and there is no provision of law authorizing such legislation. I am in sympathy with the legislation but I just wanted a ruling of the Chair as to whether or not this character of legislation should be put on an appropriation bill.

The CHAIRMAN. Does the gentleman from Minnesota desire to be heard on the point of order?

Mr. ANDERSON. It seems to me, Mr. Chairman, if this is the only point that the gentleman has in mind—

Mr. BLANTON. It is the only one.

Mr. ANDERSON. Under the ruling of the Chair heretofore the point of order would not be well taken. This does not direct anything to be done so far as cooperating is concerned. This simply authorizes the department in carrying out the work which is authorized by law to cooperate with States, counties, and municipalities.

Mr. BLANTON. Will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. BLANTON. Why, it says that it can not be done except by cooperation. Does not it require it? There is where the

Chairman, I respectfully submit, made a mistake awhile ago. It says that he shall not do it except by doing so and so, and that is cooperation.

Mr. JONES of Texas. Would not that be a limitation?

Mr. BLANTON. I was speaking of the absence of any law authorizing this character of legislation. While I am in sympathy with the legislation, I want to see how the Chair was going to rule on it.

The CHAIRMAN. Does the gentleman from Minnesota desire to discuss the point of order?

Mr. ANDERSON. No; I do not care any further.

The CHAIRMAN. The Chair takes it that the gentleman from Texas makes the point of order on page 11, beginning line 20, and running through to the end of line 7 on page 13—

Mr. BLANTON. Yes; on the whole paragraph because of the provision to which I called the attention of the Chair, which is legislation unauthorized.

The CHAIRMAN. The Chair would like to ask the gentleman from Minnesota if he can give the Chair information as to whether there is any authorization for cooperation between the Government and the States in regard to this matter?

Mr. ANDERSON. There are some general statutes, I will say to the Chair, which provide certain cooperation with the States; for instance, like the Smith-Lever Act, for certain purposes. I do not know of any statute which directs cooperation on expenditures of this kind, and in my judgment this part of the language as well as some of the rest of the language is legislation.

Mr. RUBEX. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. ANDERSON. Yes.

Mr. RUBEX. I desire to call the attention of the Chair to the fact that the language commencing with line 21, in my opinion, is clearly a limitation. It says—

That out of the money hereby appropriated no payment as compensation for any tuberculous animal destroyed shall exceed one-third of the difference in value between the appraised value of such animal and the value of the salvage thereof—

The CHAIRMAN. What page is the gentleman reading from?

Mr. RUBEX. From page 12, bottom of the page. Now, continuing on the next page—

That no payment hereunder shall exceed the amount paid or to be paid by the State, Territory, county, or municipality where the animal shall be condemned; and that in no case shall any payment hereunder be more than \$25 for any grade animal, or more than \$50 for any pure-bred animal, and no payment shall be made unless the owner has complied with all lawful quarantine regulations.

It seems to me that the whole language is a limitation, and therefore is not subject to the point of order.

Mr. BLANTON. Mr. Chairman, I call the attention of the Chair to this language on page 12, beginning in line 10:

But no part of the money hereby appropriated shall be used in compensating owners of such animals except in cooperation with and supplementary to payments to be made by State, Territory, county, or municipality.

Mr. RUBEX. That is a limitation; it does not compel them to do it. If they do not do it, it does not make them do it.

Mr. BLANTON. In other words, this whole appropriation and its expenditure depends absolutely upon cooperation with State, county, and municipality.

Mr. JONES of Texas. I would like to suggest to the Chair that where the States do cooperate the expenditure will be less, and therefore it comes strictly within the application of the Holman rule, and if the States do not cooperate none of this money can be expended; therefore whatever effect the proviso has will tend to reduce expenditures, tend to retrench them, and therefore brings it strictly within the Holman rule, and it is a negative provision as well.

Mr. MADDEN. Before the Chair rules, if the Chair please—

The CHAIRMAN. The Chair will hear the gentleman.

Mr. BLANTON. Mr. Chairman, I hope the Chair will listen patiently to the chairman of the steering committee.

Mr. MADDEN. Under Rule XXI, which prohibits legislation on an appropriation bill, except in a case where legislation tends to reduce expenses, this legislation, it seems to me, would be in order, first, because it prohibits the expenditure of the money unless certain conditions exist. Those conditions are that the States must provide the means to pay part of the compensation for cattle killed as the result of tubercular disease, and it limits the amount that can be expended when the States do cooperate. Now, if that be the case, and it seems to be the case by the language employed in the bill itself, and if the department can not expend the money except under certain happenings, then it clearly must be understood to be a limitation on the expenditure of the money, even if the department is permitted to expend the money. The amount it can expend in any

case is limited to \$25 in one instance and \$50 in another, whereas if there were no limitation whatever placed upon the amount appropriated it might be within the power of the department to spend three times that amount of money. Consequently the language in the bill limits the amount to be expended and reduces the expenses and amount of the expenditure.

Mr. CARTER. If the gentleman will yield?

Mr. MADDEN. I will.

Mr. CARTER. Would not the practical application of the provision be about this, that when they came to spend the money, if they found that the States were not willing to spend a similar amount, no money would be spent?

Mr. MADDEN. Surely. That is just exactly what I said. And therefore if this is not a limitation there can be no language written that could be classed as a limitation. And the provision, I say to the Chair, under the rules of the House, in that it reduces or tends to reduce expenses on its face, is in order as legislation.

The CHAIRMAN. The point raised by the gentleman from Illinois is, of course, a valuable one. But the Chair feels that it is drawing on the assumption of what might happen and is a very indirect limitation of uncertain application. Because, if all the States should bear their share of the expense there would be no saving to the Government. The Government would still be forced to expend the amount of money appropriated. It is only in case the States would decline.

Mr. MADDEN. If the Chair will permit one word there. In case the States do pay this, the Government is limited in the amount that it can pay, whereas if there were no such limitation it might be within the power of the Government to pay the entire amount without respect to what the States did. So, clearly, on the face of the bill itself is indicated the limit of power placed in the hands of the Department of Agriculture to pay beyond a certain amount. Now, if you do not limit them to that amount, there will be no limitation and, consequently, there can be no doubt, in my mind, that there is a reduction in the expense when you place the limit beyond which the department can not go.

Mr. JONES of Texas. I beg the pardon of the Chair, but I believe it is an important item and one that should stay in the bill. In fact, I think it is the most important single item in the bill.

Mr. BLANTON. Will the gentleman yield right there?

Mr. JONES of Texas. Yes.

Mr. BLANTON. Is a piece of legislation, as to whether it stays in or goes out of a bill, to be determined upon its importance? In other words, if it is a very important item, although it is legislation against the rule in going on an appropriation bill, should it go into the bill?

Mr. JONES of Texas. I would not take the time of the House in discussing a matter that I did not think was of some importance.

Now, this is an appropriation that is made and so much money can be expended. Two provisos are put onto that legislation. The point of order goes to those two provisos. If all of the States appropriate their specific amounts, then the provisos will have no effect at all. But if any of the States fail, then the proviso will reduce the expenditure. Therefore the tendency of the proviso is to reduce expenditures. That is the only effect which the provisos can possibly have.

Now, the Holman rule, and the whole purpose of the Holman rule, is to permit legislation which is of such a nature that it causes a retrenchment of expenditures, if it has any effect at all. Of course, no one can say whether it will or not, but everyone can say if it is in effect at all it will reduce expenditures. It can have no other effect. It simply says that none of this money can be expended unless the States cooperate. In other words, the appropriation is not available until those conditions come to pass.

Now, that is purely negative legislation. The Holman rule permits legislation that is of a negative character; that is, that places restrictions and limitations on expenditures. There is not a single sentence or clause in either of the provisos which authorizes the spending of money under any conditions that are not authorized in the general provision in the first part of the paragraph. In other words, the whole purpose, the whole intent, and the only thing that can be accomplished by either proviso, is to reduce the expenditure, and it is purely negative legislation. It does not say they can spend \$100,000 more if the States cooperate, but that they can not expend any unless they do cooperate. It is a limitation that says they can only spend what is actually appropriated when certain conditions come to pass, and they name those conditions. I believe it is purely a negative proposition.

Mr. McARTHUR. Mr. Chairman, the practical effect of this legislation in a similar item during the last fiscal year was that the various States, in the matter of this cooperative indemnity, paid to the owners of cattle that were destroyed under process of law \$934,237.17, while the United States Government paid from its Treasury \$551,331.08. If there had been no limitation in paying this out on cooperative work, the Government would have paid the total of the two sums that I have read—if that much had been carried in the bill. I submit that this is clearly a limitation and in the interest of economy.

Mr. BLANTON. My colleague from Texas [Mr. JONES] would argue that the purpose of these provisos was to prevent the States from cooperating and paying their part thereof, saving this money to the Treasury.

Mr. JONES of Texas. Oh, no.

Mr. BLANTON. When the very purpose of these two provisos is just the opposite. It is to force the States to come in and cooperate with the Federal Government in putting up this money.

Mr. JONES of Texas. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. JONES of Texas. Would the Government spend less money if we knocked out the provisos?

Mr. BLANTON. No. But there is no authority of law for it. I just called the attention of the Chair to the provisos, as I thought that was the quickest way to reach it. The distinguished chairman of this Subcommittee on Appropriations, the gentleman from Minnesota [Mr. ANDERSON], has admitted that there is no authority of law for this legislation. My distinguished colleagues favor it. I am not opposing the legislation, but I am trying to enforce the rules of the House which the Members of Congress were given to understand would be enforced when we voted for the new provision concentrating all the appropriating power of all the committees of this House in one big appropriating committee. I voted for this concentrated committee because I believed it would result in economy. I believed that the Members of this House would be treated fairly, and that when questions arose, when the committee had seen fit to go beyond its authority and place legislation upon the appropriation bill, I took it for granted that the Chair would not decide the question on the ground of expediency, or on the ground of whether or not the legislation was good, or on the ground of whether or not it should be passed, but upon the question of the rules, and give every Member of this House the benefit of these rules, on which we saw fit to vote for this law concentrating all this power in one committee.

Mr. ANDERSON. Mr. Chairman, I do not wish the gentleman from Texas [Mr. BLANTON] to put me in a false position. I only said I did not know of any specific statute which authorized the requirement of cooperation. I do not admit that the whole paragraph is legislation.

Mr. DOWELL. Mr. Chairman, will the gentleman yield for a question?

Mr. ANDERSON. Yes.

Mr. DOWELL. Standing alone, as to the appropriation commencing at line 12 and continuing down to the figures on line 20, there can be no question about the entire appropriation for this purpose. Now, all that is following that is a mere limitation on how that appropriation may be expended. It is a limitation upon it, is it not, and it has nothing to do with the appropriation itself?

Mr. ANDERSON. If the Chair were considering the whole item and the point of order as made against the whole item, I would like to direct the attention of the Chair to some law on the subject. But if the Chair is only considering the proviso—that is, the question of whether it is a limitation or not—I do not care to discuss that question, because it has been sufficiently discussed already.

The CHAIRMAN. The gentleman from Texas [Mr. BLANTON] made the point of order on the whole paragraph.

Mr. DOWELL. On the theory that if one part was objectionable all of the paragraph was objectionable?

Mr. BLANTON. Yes.

Mr. DOWELL. As I understand the appropriation, down to line 20 there is not any question about that being in order, and the point of order raised is as to the proviso, which it seems to me is a limitation upon the appropriation, and not legislation.

The CHAIRMAN. Does the gentleman from Minnesota desire to be heard further?

Mr. ANDERSON. Mr. Chairman, only if the point of order is directed to the entire paragraph after the amount. It might be of some value to the Chair if I directed his attention to the authority of the Secretary of Agriculture with respect to the

eradication of contagious animal diseases. I read from section 8 of the act of May 24, 1884.

The CHAIRMAN. What page is the gentleman going to read from?

Mr. ANDERSON. This is on page 41 of the volume I have before me. I do not know where it is in the book that the Chair has. I read:

That it shall be the duty of the Commissioner of Agriculture to prepare such rules and regulations as he may deem necessary for the speedy and effectual suppression and extirpation of said diseases, and to certify such rules and regulations to the executive authority of each State and Territory and invite said authorities to cooperate in the execution and enforcement of this act. Whenever the plans and methods of the Commissioner of Agriculture shall be accepted by any State or Territory in which pleuropneumonia or other contagious, infectious, or communicable disease is declared to exist, or such State or Territory shall have adopted plans and methods for the suppression and extirpation of said diseases, and such plans and methods shall be accepted by the Commissioner of Agriculture, and whenever the governor of a State or other properly constituted authorities signify their readiness to cooperate for the extinction of any contagious, infectious, or communicable disease in conformity with the provisions of this act, the Commissioner of Agriculture is hereby authorized to expend so much of the money appropriated by this act as may be necessary in such investigations and in such disinfection and quarantine measures as may be necessary to prevent the spread of the disease from one State or Territory into another.

Now, this is a very general statute, not only authorizing but directing cooperation with the States in the extirpation of communicable and infectious diseases of animals.

Mr. BLANTON. Is not that an appropriation bill that the gentleman is reading from?

Mr. ANDERSON. No; it is not an appropriation bill that I am reading from. It is the act for the establishment of the Bureau of Animal Industry in the Department of Agriculture and to provide for the extirpation of pleuropneumonia and other contagious diseases among domestic animals. It is permanent law.

The CHAIRMAN. Will the gentleman permit the Chair to ask him a question?

Mr. ANDERSON. Certainly.

The CHAIRMAN. Is there any provision in the statute which the gentleman is reading that permits the killing of animals and the payment therefor?

Mr. ANDERSON. Yes; there is such a statute. I read:

That the Secretary of Agriculture shall have authority to make such regulations and take such measures as he may deem proper to prevent the introduction or dissemination of the contagion of any contagious, infectious, or communicable disease of animals from a foreign country into the United States or from one State or Territory of the United States or the District of Columbia to another, and to seize, quarantine, and dispose of any hay, straw, forage, or similar material, or any meats, hides, or other animal products coming from an infected foreign country to the United States, or from one State or Territory or the District of Columbia in transit to another State or Territory or the District of Columbia whenever in his judgment such action is advisable in order to guard against the introduction or spread of such contagion.

Mr. BLANTON. Right there; that is only from one State to another, not in the various States themselves. There is the distinction. This seeks to require cooperation for acts that the Secretary may perform in a State, regardless of State laws, or regardless of the entry of stock from one State into another.

Mr. MADDEN. He must certainly kill them in one State to prevent their going into another State.

Mr. ANDERSON. Certainly, as my friend from Illinois suggests, you have to kill them in one State to prevent their going into another. My impression is that there is a statute which authorizes the Secretary of Agriculture to kill infected animals and pay the cost of the animals so killed.

The CHAIRMAN. Will the gentleman permit another question?

Mr. ANDERSON. Certainly.

The CHAIRMAN. Does not the matter that the gentleman is now referring to come in another part of this bill? Is not the gentleman reading about the quarantine regulations?

Mr. ANDERSON. No. This is the law creating the Bureau of Animal Industry.

The CHAIRMAN. Is there any other part of this bill which provides for the very thing the gentleman is now referring to?

Mr. ANDERSON. There is a general item which provides for the enforcement of the inspection and quarantine law.

Mr. RUBEX. It appropriates the money for it?

Mr. ANDERSON. It appropriates the money for that purpose.

Mr. CARTER. Unless the Chair is satisfied about the matter being a limitation—

The CHAIRMAN. The Chair will hear the gentleman from Oklahoma if the gentleman from Minnesota will yield.

Mr. ANDERSON. I yield to the gentleman from Oklahoma.

Mr. CARTER. Unless the Chair is satisfied that this is a limitation, I should like to cite him to *Hinds' Precedents*. I find in the manual this language:

The limitation may not be applied directly to the official functions of executive officers, but it may restrict executive discretion so far as this may be done by a simple negative on the use of the appropriation.

Citing *Hinds' Precedents*, volume 4, sections 3968 and 3972, it seems to me very clear.

Mr. BLANTON. Mr. Chairman, in order to save time I will withdraw the point of order. I think my action has been protest enough against the action of the committee, and I withdraw the point of order.

The CHAIRMAN. The gentleman from Texas withdraws the point of order.

Mr. ANDERSON. I offer an amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 11, line 20, after the figure "\$1,978,800" substitute a comma for the colon and insert "of which \$978,000 shall be set aside for administrative and operating expenses and \$1,000,000 for the payment of indemnities."

Mr. ANDERSON. I should like to say with reference to the amendment that when the committee considered this particular item, owing to the great change that has taken place in the market value of cattle, which is an element in determining the amount of indemnity to be paid by the Federal Government, we did not have any indication as to what the division between operating expenses and indemnity should be. Since that time I have conferred with the department, and they have suggested that if a division is made it should be made upon the basis of the amendment which I have sent to the Clerk's desk.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. McLAUGHLIN of Michigan. How much money was paid in indemnities during the last calendar year?

Mr. McARTHUR. The gentleman means fiscal year, does he not?

Mr. ANDERSON. I can not say how much for the calendar year.

Mr. McLAUGHLIN of Michigan. What are the latest data the gentleman has as to the money paid for indemnities out of the appropriation we last made?

Mr. ANDERSON. In 1920, up to the time these hearings were held, as I recall, \$171,973.

Mr. McLAUGHLIN of Michigan. That was up to about the 20th of November?

Mr. ANDERSON. November 30.

Mr. McLAUGHLIN of Michigan. That would be five months. In five months they used \$171,000, and the gentleman is now proposing to provide \$1,000,000 for a year.

Mr. ANDERSON. When I did that I was following the example of the gentlemen on the Agricultural Committee, who have always insisted without exception that the amount for indemnity should be more than the amount for operating expenses.

Mr. McLAUGHLIN of Michigan. The gentleman's memory is short. The members of the Committee on Agriculture have never insisted on any such thing. The gentleman on the Committee on Agriculture insisted on making such a division as seemed just and proper under all the circumstances. They occasionally used their own judgment, and did not take for granted everything said by the gentlemen from the Department of Agriculture.

Mr. SUMNERS of Texas. I desire to direct a question to the gentleman in charge of the bill.

The CHAIRMAN. The gentleman from Michigan has the floor.

Mr. McLAUGHLIN of Michigan. I yield for a question.

Mr. ANDERSON. If I have the floor, I will answer it.

Mr. SUMNERS of Texas. The gentleman stated that the price of cattle had changed. Has that resulted from the ordinary market conditions, or the difference in the estimates made by the Farm Management Bureau?

Mr. ANDERSON. That resulted from the actual market, because the amount of the indemnity paid is reduced by the slaughter value of the carcass, so that if the slaughter value is less the indemnity paid is more.

Mr. SUMNERS of Texas. I thought perhaps the Office of Farm Management had changed the estimates of the cost of production.

Mr. HAUGEN. Mr. Chairman, I would like to ask the chairman of the committee a question, if he has any estimates of the amount required to pay the indemnities? In the estimates, I understand, it was put somewhere about \$2,000,000, and in the amendment of the chairman there is only \$1,000,000 made available.

Mr. ANDERSON. I have no estimate of \$2,000,000 for indemnity.

Mr. HAUGEN. There were a number of tables submitted, and, as I understand, the total was \$2,000,000. We should provide an adequate fund to pay the indemnity besides providing for the administration.

Mr. ANDERSON. I am wholly unable to reconcile the position of the gentleman from Iowa with the position of the gentleman from Michigan. The gentleman from Michigan says that the amount is too high, and the gentleman from Iowa says that it is not enough.

Mr. HAUGEN. The legislatures are about to meet, and it will take some time for the States to make the appropriations. I understand the legislatures are contemplating making large appropriations to pay indemnities.

Mr. ANDERSON. The tables to which the gentleman refers put the total estimates for Federal indemnity at \$2,097,000. That is based upon a larger sum for operating expenses that we have authorized in the bill.

Mr. HAUGEN. The all-important part is to pay the indemnity. The administration will be of little value unless the indemnities are provided for. We do not want to spend money for veterinary service unless we have money to pay the indemnities with. I am not certain but that the division made by the gentleman in his amendment is a proper division. I would like to see the amount available for indemnity made much larger.

Mr. McLAUGHLIN of Michigan. I have not expressed the opinion as to what either of these amounts should be. I have noticed that there is an increase of \$500,000 in the appropriation. The only thought I had in mind was that a part of this proposed increase might possibly be saved, just as the gentleman from Iowa says the amount of the indemnity must be large enough.

Mr. HAUGEN. My understanding is that the legislatures did not have an opportunity to make their appropriations, but that they will take hold of it this year, and that it will take about \$2,000,000 to meet the indemnity, and therefore we should provide for the indemnity instead of for the veterinarians.

Mr. McLAUGHLIN of Michigan. Is not the estimate of \$2,000,000 the estimate of the amount to be appropriated and used by the States?

Mr. HAUGEN. Yes; we match dollar for dollar.

Mr. McLAUGHLIN of Michigan. Oh, no.

Mr. HAUGEN. The general arrangement is the Federal Government pays one-third, the State pays one-third, and the owner stands one-third.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I move to strike out the last word. The gentleman from Iowa is mistaken in saying that the Federal Government matches dollar for dollar. The law says that we shall not pay more than a State pays in any case. I have in mind the State of Wisconsin, where there is an indemnity as high as \$200. In several of the States the indemnity is very high. The law we have enacted here is that the Federal Government shall not pay more than the State pays.

Mr. HAUGEN. The Federal Government pays one-third and the State arranges it between the State and the owner.

Mr. McLAUGHLIN of Michigan. In some States they pay more than the Federal Government pays. The law provides that we shall pay not more than one-third of the value of the animal; it says also we shall not pay more than the State pays; and says finally that we shall not pay more than \$25 for a grade animal or more than \$50 for a pure-bred animal.

Mr. HAUGEN. The State is expected to pay one-third and the owner one-third.

Mr. McLAUGHLIN of Michigan. In the State of Wisconsin they may pay as much as \$200 for an animal. We would not be permitted to pay more than \$25 or \$50, but the State of Wisconsin would pay up to the full amount. We do not pay as much as the State, so our amount of indemnity does not need to be measured by the amount of indemnity contemplated by the State.

Mr. SNELL. Mr. Chairman, I would like to ask the gentleman in charge of the bill a question. Do I understand that it costs \$1,000,000 overhead to pay out in the vicinity of \$400,000 for animals killed and destroyed?

Mr. McLAUGHLIN of Michigan. A great deal more work is done under this item than testing animals for tuberculosis; it does not all go for tuberculosis. Only a part of the bureau's work under this item is the testing of animals for tuberculosis, leading up to slaughter, and the payment of the indemnity.

Mr. SNELL. Is all the testing done in each State by the Federal authority instead of the State authority?

Mr. McLAUGHLIN of Michigan. If we keep on furnishing money I think we can say that ultimately much of the expense will be paid by the Federal Government, because the States are getting careless. They permit their veterinarians to be ineffi-

cient, and the more careless they are the more they ask from the Federal Government and the more we supply their demands.

Mr. SNELL. If there is considerable doubt about the advisability of the amount of this appropriation, why would it not be a good idea to reduce it to what it was last year?

Mr. McLAUGHLIN of Michigan. This is the situation: The animals are tested for tuberculosis partly for the safety of the animals and for the satisfaction of the owner and partly to provide for a basis for issuing of certificates so that the owner may ship to another State. If the work of testing the animals as the basis for a certificate is efficiently and honestly done, the certificate going with the animal to the other State is accepted; if the work has been inefficiently done the animal is rejected in the State to which it goes, and then there is trouble between the States. The officials of one State accuse the officers and shippers of the other State, and what do they do? They lie down and insist that the Government of the United States shall do the inspecting and issue the certificates.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SNELL. Does the gentleman think that this appropriation could be cut at this time and still get the efficiency that is necessary on the part of the Federal Government?

Mr. McLAUGHLIN of Michigan. The States are going to depend upon the Federal Government for this kind of work, and the Federal Government is doing good work. This work is in the hands of very competent, capable, and conscientious men. They are doing splendid work, and there seems to be no effort upon the part of the States to improve the character of the work their own men are doing, so the work will pile up on the Federal Government. I questioned some of these gentlemen who were before the committee, and I have talked with them at other times. I have said to them, "What do you do when you find a veterinarian on the State pay roll who is inefficient, who has been issuing improper certificates, and what do you do when you find a veterinarian has been in collusion with the owner of a herd and has issued dishonest certificates?" The reply has been that they take him off the pay roll and then call in the Federal Government to do the examining, and that is all they do. I then asked whether they permitted that veterinarian to continue his private practice after having shown himself incompetent and dishonest, and the reply was that they did, that there was no statute to provide for his punishment. So that they just lie down and ask the Federal Government to do the work.

Mr. SNELL. Are we behind in paying for the animals that have been destroyed up to the present time?

Mr. McLAUGHLIN of Michigan. No.

Mr. SNELL. Then if we paid up in full and used only \$171,000 in five months, why do they need a million dollars for the next year?

Mr. McLAUGHLIN of Michigan. This act provides that we shall cooperate with the States only on a certain basis, and that the States must be willing to cooperate with us. Some of the States do not have laws that enable them to cooperate. Our officials have been cooperating with only 33 States last year, but it is expected that during the coming year all of the States will be in a position to cooperate with the Federal Government so that more work will be done, more States will be taken in, and more money will be needed.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. MONDELL. Do I understand that that is the basis on which the committee brought in this very large appropriation—that there was a hope or an expectation that we might do more than we have done, with nothing definite or assured? Is that the way we are appropriating money?

Mr. SNELL. That is what I am trying to find out.

Mr. MONDELL. If we are throwing away a million dollars here and a million dollars there, on the mere hope or expectation that we may do something, it is about time that we knew about it.

Mr. McLAUGHLIN of Michigan. I am not a member of the committee reporting this bill. I speak only in a general way and from such information as I have been able to gather.

Mr. MONDELL. I had assumed that the gentleman was speaking from knowledge.

Mr. McLAUGHLIN of Michigan. I understand that is why the amount is increased. The gentleman can get the particulars from the members of the Committee on Appropriations.

Mr. MONDELL. There seems to be a notion in the minds of some people that because these appropriations are agricultural appropriations they must be very large, whether they are needed or not.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. MCARTHUR. Mr. Chairman, I rise in the hope that I may shed a little light on this matter. I want to quote some figures furnished me by the Bureau of Animal Industry on this very question. During the last fiscal year, ending June 30, 1920, the Government paid out by way of indemnity \$551,331.08, and there was paid out to the cattle owners by the various States by way of indemnity \$934,237.18—practically \$2 by the States to \$1 by the Federal Government.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. MCARTHUR. Certainly.

Mr. SNELL. What period does that cover?

Mr. MCARTHUR. The last fiscal year, ending June 30, 1920. The head of the Tuberculosis Eradication Division of the Bureau of Animal Industry advises me that the money on hand at the present time will be barely sufficient to cover the cost of carrying on this work up to June 30, 1921, and that even a larger sum will be required for the next fiscal year, for the reason that a very wide campaign is under way for the wiping out of this disease among the cattle of this country, especially in the dairy industry. The figures I have here show the growth of that campaign. At the present time there are on the accredited herd lists of the bureau 5,018 herds, approximating 80,000 cattle, which have passed either two or three tuberculin tests yearly at the hands of the bureau, and there are 27,842 herds, approximating 440,000 cattle, that have passed one test. There has been a tremendous growth since this work was undertaken, and it is costing money to carry it on.

Mr. RUBEY. Mr. Chairman, will the gentleman yield?

Mr. MCARTHUR. Yes.

Mr. RUBEY. Is it not a fact that there are a great many herds on the waiting list?

Mr. MCARTHUR. Yes; thousands of them are asking that this work be done, and that this test be administered, because it is all important in eradicating this disease, which is costing the people of the United States \$50,000,000 a year.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. MCARTHUR. Yes.

Mr. FESS. What has the gentleman to say about the observations of the gentleman from Michigan that the States are not doing it?

Mr. MCARTHUR. My observation has been that it is necessary for the Federal Government to take hold of this work for the reason that the veterinarians employed by the Bureau of Animal Industry are men of ability and of the highest character, whereas in a number of States the official veterinarians, who are appointed for political purposes, are men who can not be depended on to do the right thing, and we have witnessed a great many instances of tubercular animals which have been certified to by crooked veterinarians and shipped to distant parts of the country, there to be dumped on the unsuspecting public at a good price.

Mr. FESS. What is the specific purpose of the appropriation? Is it a matter of obtaining food or of preserving health?

Mr. MCARTHUR. The specific purposes of the appropriation are very many. First, to stamp out this disease which entails an economic loss to the people of the country; and, second, to insure a wholesome supply of milk and dairy products for the consumers of the country, and also to insure a wholesome supply of meat from domestic animals.

Mr. SNELL. Will the gentleman yield for a further question?

Mr. MCARTHUR. I will.

Mr. SNELL. The evidence the gentleman has presented, where it cost about \$500,000 last year, is in direct line with the statement of the gentleman from Wisconsin that it took \$191,000 for the last five months. Now, if that is the direct evidence, I can not see any reason for appropriating \$1,000,000 for the next year.

Mr. MCARTHUR. If the gentleman will permit, this work is growing tremendously from month to month. There are thousands of herds on the waiting list now.

Mr. SNELL. Is it growing because we appropriate more money and they want to get it?

Mr. PELL. Yes.

Mr. SNELL. Or because there is some actual need?

Mr. MCARTHUR. It is growing because of the wisdom of this law; and, Mr. Chairman, the sooner we go on with the campaign of eradicating bovine tuberculosis, the better off the country will be. We can not make any headway if the job is

half done. There is only one way to fight this disease and stamp it out, and that is to do it and get rid of it. It will be only a few years, if this campaign is carried forward, when tuberculosis in our cattle will be stamped out and further appropriations will be unnecessary.

Mr. FESS. Will the gentleman yield further?

Mr. MCARTHUR. I will.

Mr. FESS. What has the gentleman to say of the impression that as we increase the expenditure we are increasing tuberculosis?

Mr. MCARTHUR. There is nothing in that statement, Mr. Chairman, because as we increase the appropriation we are certainly decreasing tuberculosis, and we are slaughtering and disposing of infected animals, and there are very large areas in various sections of the country where tuberculosis has been wiped out altogether. Federal and State authorities are taking it up by county units in a great many States, and they have wiped it out altogether in one county in my State, in one in Washington, and in one in Wisconsin, and, in my judgment, it will not be many years until tuberculosis among cattle of this country will be a thing of the past. If we are going to carry the campaign forward and wipe out this disease, this is no time to talk about reducing the required appropriations. We either should abandon the work altogether or go forward with it. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOCHT. Mr. Chairman, I move to strike out the last word.

Mr. ANDERSON. Mr. Chairman, I think there is an amendment pending.

The CHAIRMAN. The gentleman from Pennsylvania rises in opposition to the amendment of the gentleman from Oregon to strike out the last two words.

Mr. FOCHT. Mr. Chairman, I have listened to this discussion with much interest, also with a great deal of surprise. I am amazed that there are so many tubercular cattle in the country after making these appropriations so many years.

Mr. MCARTHUR. Will the gentleman yield?

Mr. FOCHT. Ever since I have been here—I will yield.

Mr. MCARTHUR. How many years did the gentleman imagine these appropriations had been made?

Mr. FOCHT. Well, we have been making them for 14 years—here and in Pennsylvania.

Mr. MCARTHUR. The gentleman is mistaken; only for three years here.

Mr. FOCHT. That is all right. As a matter of fact, in my State we have cleaned out tuberculosis. Now, I would like to know where these crooked veterinarians come from you are talking about. I will say, gentlemen—

Mr. MCARTHUR rose.

Mr. FOCHT. No; I can not yield now. I want to ask this of the gentlemen who talk about the efficiency of these veterinarians: From what particular State do you get the eligible veterinarians? Where do they come from to Washington and where are they educated? You know very well that the only place you can go is Pennsylvania and New York, where we have a high standard for veterinary surgery. They have to stand a searching examination and they can not practice the profession as they did in the old days. Now, as for dishonesty, why, that is simply a question of opinion and evidence. How many herds are passed on or disposed of? I have heard a good deal about \$2,000,000 for the service, but we have not heard a word about how many cattle were found to have had tuberculosis, nor how many cattle there are that have tuberculosis, and if we do find some cases why do you come down to Washington and forever hit the Treasury?

We talk about economy. The leader of this House has just preached another sermon about it, and yet we want to raid the Treasury here for \$2,000,000 for tuberculosis, when there is not a tubercular cow or steer in the District of Columbia. Why does not your State of Oregon, your State of Minnesota, your State of Iowa, do as New York and Pennsylvania do, take care of your own tuberculosis? That is the question.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOCHT. Mr. Chairman, I ask unanimous consent to continue for five minutes longer.

Mr. MCARTHUR. Reserving the right to object—

Mr. FOCHT. And I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to revise and extend his remarks. Is there objection?

Mr. MCARTHUR. Reserving the right to object, I understood the gentleman from Pennsylvania asked for five additional minutes. Coupled with that I ask unanimous consent that I

be given five additional minutes in which to reply to the gentleman from Pennsylvania.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. FOCHT] asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none. And the gentleman from Pennsylvania asks unanimous consent to be allowed to proceed for five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FESS. Will the gentleman yield?

Mr. FOCHT. Yes.

Mr. FESS. I have a good deal of sympathy with what the gentleman is saying. However, if the purpose of this item is to eradicate not only disease in cattle, but disease also of the human, which will certainly be multiplied by the presence of disease in meat, would it not be a proper function of the Federal Government even if it had to do all of that?

Mr. FOCHT. I am in favor of all of this. You all understand that. Sometimes I like, as I follow these arguments along, to let it be known that I am not so overwhelmed and immersed in the idea expressed that I accept everything I hear. I like to call attention to some inconsistencies.

But here is something I would like to say in connection with this objection. Now, when I first came here and saw this agricultural bill, I really thought it would be a fair proposition to offer as a substitute for it, with all these scientific matters referred to here, the Lancaster Almanac. But there has been a great growth in the need of assistance to the farmer, and I am heartily in favor of it all. You may wonder why I would rise here, coming as I do from the State of Pennsylvania, when it is known we do not raise enough east of the Alleghenies to sustain human life, and talk about agriculture.

But the fact is that there is more agriculture in Pennsylvania than among many of those who have gone to the western plains, out to the granary of the world and the great corn belts of the Middle West, and all that. We have a great agricultural industry in Pennsylvania, and I am much interested in it. When I came in the course of my studies to a beautiful sentiment expressed by Edward Everett, I thought you would appreciate it and thereby could understand why I was inspired to come to the front here and say a few words this afternoon. After I read it I will likely make a few more observations. Here is what Edward Everett said about agriculture:

Before the heaving bellows had urged the furnace, before a hammer had struck upon an anvil, before the gleaming waters had flashed from an oar, before trade had hung up its scales or gauged its measures the culture of the soil began. "To dress the garden and keep it"—this was the keynote struck by the hand of God himself in that long, joyous, wailing, triumphant, troubled, pensive strains of life music, which sounds through the generations and ages of our race.

[Applause.]

So much for Edward Everett.

Now, as to the assistance that we are supposed to give the farmer, I am surprised that so much has been said about his inability to take care of himself. This \$36,000,000 is a bagatelle for the farmers. If agriculture is the queen of all occupations, in the presence of \$4,000,000,000 of appropriations which we are about to pass for all purposes, or will have passed by the end of the session, it seems to me that \$36,000,000 is the most insignificant amount that we could appropriate. If it is necessary for the farmer to have \$100,000,000 to develop those things which sustain human life, then that is the first place we ought to make an appropriation. But it strikes me that there is a suggestion or two in connection with all of these voluminous bills, carrying millions of dollars, as far as the American farmer is concerned.

In the first place, do not worry about him, but do him justice. One thing that has been discussed here so often and so long is that of getting his product to market, so that there may not be a condition existing such as was described here yesterday, depicting the farmer way out on the land, and being in hard luck, and then undertaking to reconcile that hard-luck story—

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOCHT. I would like to have three minutes more, if the gentlemen will let me have it.

The CHAIRMAN. The gentleman asks unanimous consent to be allowed to proceed for three additional minutes. Is there objection?

Mr. ANDERSON. Reserving the right to object, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in three minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. McARTHUR. Reserving the right to object, will the gentleman answer a question?

Mr. FOCHT. I do not know that it will be possible to answer every question that you might ask. But I will try to do so. Go ahead.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to be allowed to proceed for three additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. McARTHUR. Mr. Chairman, will the gentleman yield?

Mr. FOCHT. Yes; go ahead.

Mr. McARTHUR. I want to know if the gentleman from Pennsylvania is aware of the fact that in the cooperative movement for the testing of tubercular cattle during the last fiscal year, ending June 30, 1920, there were tested in my State of Oregon 22,000 and in the gentleman's State 19,000?

Mr. FOCHT. No; I was not aware of that fact; but you have more bad cattle yet. I am glad to have the gentleman's information. But he is reading statistics, I understand, and it is of no use for me to refer further to statistics which may prove anything. What I want to say, Mr. Chairman, is this: That, so far as the farmer is concerned, he can take care of himself if we will take care of that robbery that is committed from the farm to the market [applause], so that somewhere from the hard-luck story that we heard yesterday down to the 80-cent butter and the 90-cent eggs that my wife bought to-day, some one is profiteering and thereby invites a hanging. That is all that the farmer needs—a square deal. He will take care of himself if he is given a chance.

We need these scientists. They may kill, or they may cure, and their mistakes may be buried, but we should appropriate this money. I am for it. I have always been for adequate salaries and a sufficient number of employees and efficiency, and I have never heard my constituents complain.

Mr. BLANTON. The gentleman paid too much, because the price of Blue Valley butter to-day is 70 cents and the price of the best eggs is 80 cents. [Laughter.]

Mr. FOCHT. Yes; that may be true, but I am guided rather by the odor than a name. [Laughter.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

The question is on agreeing to the amendment offered by the gentleman from Minnesota.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For all necessary expenses for the eradication of southern cattle ticks, \$660,000: *Provided*, That no part of this appropriation shall be used for the purchase of animals or in the purchase of materials for or in the construction of dipping vats upon land not owned solely by the United States, except at fairs or expositions where the Department of Agriculture makes exhibits or demonstrations; nor shall any part of this appropriation be used in the purchase of materials or mixtures for use in dipping vats except in experimental or demonstration work carried on by the officials or agents of the Bureau of Animal Industry.

Mr. JONES of Texas. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Texas moves to strike out the last word.

Mr. JONES of Texas. Mr. Chairman, my purpose in doing this is to call again to the attention of the committee the question of vaccine which was distributed for blackleg by the department for several years. The custom has prevailed in that department to distribute blackleg vaccine, which was found upon test to be of some benefit in the treatment of a fatal disease that afflicts cattle. Now, for a long period of time the people in the cattle-raising sections were accustomed to use a great deal of this vaccine. Some years ago the Agricultural and Mechanical College of Kansas discovered a system that was far superior to the old serum that was used, and practically all the stockmen discarded the Government vaccine and began to use the other. An effort was made to get the department to adopt the new form of vaccine. They could do so because the formula was not patented. It was a free formula that everyone might use. The Agricultural and Mechanical College of Kansas perfected the formula and was willing that the public should have the benefit of it, and did not seek to exploit it in any way.

I took it up with the head of the department that handled those matters, and he freely conceded that the Manhattan vaccine, as it is sometimes termed, is far superior to the kind that the Government is using, and yet the Government continues to use the old form of vaccine. I asked him the reason for doing so, and he said it was too expensive to obtain the better form of vaccine, saying that he had observed certain rules with respect to securing it, and that it was necessary to kill yearlings and inoculate them with this blackleg and then produce the serum from the dead animal.

I called his attention to the fact that in my country stockmen claimed that they have been inoculating burros, and that they can get them for \$4 or \$5 apiece and make the serum from them. He said he was under the impression that they could not

be given this disease. At any rate, it seems passing strange to me that the department would continue to use the old form of vaccine when practically all the stockmen who have handled stock in great numbers have discarded that form and are using the new and better form. If we are to have anything of this character, an appropriation should be made such as to enable the department to make and distribute the best form of serum.

It seems to me that in so far as the Government is going to continue in this line of investigation by this method of distribution it should secure the best. What they do distribute should be of that character. I can not see any reason, simply because the inferior form happens to be a little cheaper, why they should continue to use it, and I believe that whatever money is expended by the department should be expended in investigating and using the better form of serum.

I do not understand why that matter was not brought to the attention of the committee. I took it from the investigation that I made and that of several others that it would probably be brought to the attention of the committee. I believe it is important enough, if we are going to have investigations of these various diseases, to secure the best that can be had. I simply wanted to call this to the attention of the committee, so that the department would be called upon for its opinion with reference to this matter and for its reason for continuing the distribution of this inferior form of vaccine, which according to their own admission is inferior.

The CHAIRMAN. The gentleman withdraws his pro forma amendment. The Clerk will read.

The Clerk read as follows:

For all necessary expenses for investigations and experiments in dairy industry, including repairs, alterations, improvements, and additions to buildings absolutely necessary to carry on experiments, including the employment of labor in the city of Washington and elsewhere, cooperative investigations of the dairy industry in the various States, and inspection of renovated-butter factories, \$375,000.

Mr. HAUGEN. Mr. Chairman, I reserve a point of order for the purpose of asking the gentleman in charge of the bill if he does not think a limitation should be placed on the provision in line 21, "Additions to buildings absolutely necessary"?

Mr. ANDERSON. This does not contemplate the construction of new buildings.

Mr. HAUGEN. The additions might be several times the cost of the original building.

Mr. ANDERSON. I doubt if the comptroller would construe such an addition to be within the language of this appropriation. The department asked for the insertion in the bill of a provision authorizing the erection of buildings, evidently contemplating the erection as well as the repairs and improvements of buildings. The committee struck out that word. I do not know just what limitation the gentleman has in mind. If this language is too broad, I have no objection to limiting it.

Mr. HAUGEN. A limitation of cost, of course, would be the only limitation we could place on it. It is customary to do that.

Mr. ANDERSON. I have no objection to a limitation of cost if the gentleman desires to offer such an amendment. I do not think this provision is subject to any abuse. I think the department really has the authority now, and I suppose the general limitations of cost would apply. For that reason it seems to me the language is entirely safe.

The CHAIRMAN. Does the gentleman withdraw his reservation of the point of order?

Mr. HAUGEN. I am going to leave the matter to the discretion of the chairman of the committee. I think there should be a limitation. We have always placed such a limitation, and I am afraid that much of the \$375,000 may be used for a building if no limitation is placed on it. I simply call it to the attention of the chairman of the committee and leave it to him to determine for himself.

Mr. ANDERSON. I call the attention of the gentleman to the fact that the same language has been carried in the next item for many years without any limitation. The gentleman knows that we have a dairy farm at Beltsville and another one down in Louisiana, and it is necessary to have some flexibility in making ordinary repairs of buildings in order to carry on the work of the department. The gentleman knows it better than most of us.

Mr. HAUGEN. The gentleman knows that we have expensive buildings, and we ought in my estimation to place a limitation on this item.

Mr. BLANTON. Mr. Chairman, I make the point of order that there is no quorum present.

Mr. ANDERSON. Will the gentleman withhold his point of order until we dispose of this item?

Mr. BLANTON. I withdraw the point of order.

Mr. HAUGEN. I simply desire to call the attention of the gentleman in charge of the bill to this matter. I am inclined to

believe, in view of what has taken place in the past, that we ought to place this limitation on the item.

Mr. BLANTON. The gentleman from Minnesota has had his attention called to it. He understands it.

Mr. ANDERSON. I do not think it is necessary.

Mr. HAUGEN. I do not make the point of order.

The CHAIRMAN. The gentleman from Iowa withdraws his point of order.

Mr. ANDERSON. I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HICKS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the Agricultural appropriation bill, H. R. 15812, had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted—
To Mr. DENISON, indefinitely, on account of illness.

To Mr. KENNEDY of Rhode Island, indefinitely, on account of sickness in his family.

LEAVE TO EXTEND REMARKS.

By unanimous consent, leave was granted to Mr. SUMNERS of Texas, to Mr. JONES of Texas, and to Mr. HAYDEN to extend their remarks on the Agricultural appropriation bill.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CROCKETT, one of its clerks, announced that the Senate had passed the following resolution:

Senate resolution 431.

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. CHARLES F. BOOHER, late a Representative from the State of Missouri.

Resolved, That a committee of six Senators be appointed by the Vice President, to join the committee appointed by the House of Representatives, to take order for the superintending of the funeral of Mr. BOOHER at Savannah, Mo.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives.

Resolved, That as a further mark of respect the Senate do now adjourn.

And that the Vice President had appointed as the committee on the part of the Senate Mr. REED, Mr. SPENCER, Mr. TRAMMELL, Mr. FERNALD, Mr. DIAL, and Mr. CAPPER.

The message also announced that the Senate had passed without amendment joint resolution (H. J. Res. 440) directing the Secretary of War to cease enlisting men in the Regular Army of the United States except in the case of those men who have already served one or more enlistments therein.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 4787. An act granting consent for the construction, maintenance, and operation of a bridge across the Delaware River from the city of Philadelphia, Pa., to the city of Camden, N. J.; and

S. 4825. An act to extend the time for the construction of a bridge across the Columbia River, between the States of Oregon and Washington, at or within 2 miles westerly from Cascade Locks, in the State of Oregon.

SENATE JOINT RESOLUTION AND BILLS REFERRED.

Under clause 2, Rule XXIV, Senate joint resolution and bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. J. Res. 236. Joint resolution directing the Secretary of War to cease enlisting men in the Regular Army of the United States until the number of enlisted men shall not exceed 175,000; to the Committee on Military Affairs.

S. 4825. An act to extend the time for the construction of a bridge across the Columbia River, between the States of Oregon and Washington, at or within 2 miles westerly from Cascade Locks, in the State of Oregon; to the Committee on Interstate and Foreign Commerce.

S. 4787. An act granting consent for the construction, maintenance, and operation of a bridge across the Delaware River from the city of Philadelphia, Pa., to the city of Camden, N. J., and also to consent to an agreement between the States of Pennsylvania and New Jersey and the city of Philadelphia for the construction, maintenance, and operation of such bridge; to the Committee on Interstate and Foreign Commerce.

DEATH OF EX-REPRESENTATIVE H. C. CLAYPOOL.

Mr. RICKETTS. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. The gentleman from Ohio asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. RICKETTS: Mr. Speaker and gentlemen of the House, it is with deepest regret I announce the sudden death of a former Member of this House from my State, Hon. Horatio C. Claypool, of Chillicothe, Ohio, who rendered a valuable and distinctive service to his constituency and the country during the Sixty-second, Sixty-third, and Sixty-fifth Congresses.

In manner Mr. Claypool was affable, congenial, and pleasant, and enjoyed the respect and confidence of a host of friends.

In his demise Ohio has lost one of her most distinguished sons, and Chillicothe and Ross County have lost an honored and valued citizen.

ADJOURNMENT.

Mr. ANDERSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 57 minutes p. m.) the House adjourned until Monday, January 24, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV:

304. A letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of War, submitting supplemental estimates of appropriations required by the Engineer Department of the Army for expenses of buildings and grounds in Washington, fiscal year 1921. (H. Doc. 993), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. PORTER, from the Committee on Foreign Affairs, to which was referred the bill (H. R. 15834) authorizing the accounting officers of the Treasury to adjust certain accounts of certain diplomatic and consular officers, reported the same with an amendment, accompanied by a report (No. 1218), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SINCLAIR, from the Committee on Indian Affairs, to which was referred the bill (S. 126) conferring jurisdiction on the Court of Claims to permit the Yanktonal and Cuthead Bands of Sioux Indians to intervene in the action of the Sisseton and Wahpeton Bands of Sioux Indians against the United States (Docket No. 33731), and to hear, determine, and render judgment in said action in claims of Yanktonal and Cuthead Bands of Sioux Indians against the United States, reported the same without amendment, accompanied by a report (No. 1224), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House as follows:

Mr. REED of New York, from the Committee on War Claims, to which was referred the bill (H. R. 1307) for the relief of the heirs of Adam and Noah Brown, reported the same without amendment, accompanied by a report (No. 1219), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (S. 3743) for the relief of W. R. Grace & Co., reported the same without amendment, accompanied by a report (No. 1220), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 4250) for the relief of John B. Elliott, reported the same without amendment, accompanied by a report (No. 1221), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 15530) for the relief of Ephraim Lederer, collector of internal revenue for the first district of Pennsylvania, reported the same without amendment, accompanied by a report (No. 1222), which said bill and report were referred to the Private Calendar.

Mr. MILLER, from the Committee on Military Affairs, to which was referred the bill (S. 3176) to authorize the President of the United States to appoint Marion C. Rayson an officer of the Army, reported the same without amendment, accompanied by a report (No. 1223), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Public Buildings and Grounds was discharged from the consideration of the bill (H. R. 15793) authorizing the Secretary of the Interior to purchase necessary lands for the use of the Government fuel yards, for the erection of a garage, and payment by check by branches of the Federal Government for fuel furnished, and the same was referred to the Committee on Mines and Mining.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SMITH of Illinois: A bill (H. R. 15851) to reimburse officers, nurses, and civilian employees of the United States Public Health Service and inmates of the United States Public Health Service Hospital at Corpus Christi, Tex., for losses sustained as a result of a storm which occurred in Texas upon September 14, 1919; to the Committee on Claims.

By Mr. HULINGS: A bill (H. R. 15852) to provide for the investigation of frauds or errors committed at primary elections for the nomination of candidates for Congress in the House of Representatives and for the correction thereof, and for other purposes; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. FESS: A bill (H. R. 15853) to amend an act entitled "An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended by the act of July 11, 1919; to the Committee on Education.

By Mr. KAHN: A bill (H. R. 15854) relating to the creation of the office of lieutenant general of the Armies of the United States; to the Committee on Military Affairs.

Also, a bill (H. R. 15855) authorizing the Secretary of War to furnish free transportation and subsistence from Europe to the United States for certain destitute discharged soldiers and their wives and children; to the Committee on Military Affairs.

By Mr. CAMPBELL of Pennsylvania: A bill (H. R. 15856) fixing the compensation of Senators, Representatives in Congress, Delegates from Territories, and Resident Commissioners; to the Committee on the Judiciary.

By Mr. NEWTON of Minnesota: A bill (H. R. 15857) further regulating the granting of visas by diplomatic and consular officers of the United States, and for other purposes; to the Committee on Foreign Affairs.

By Mr. LEHLBACH: A bill (H. R. 15858) supplemental to an act entitled "An act for the retirement of employees in the classified civil service, and for other purposes" (Public, No. 215, 66th Cong.); approved May 22, 1920; to the Committee on Reform in the Civil Service.

By Mr. PETERS: A bill (H. R. 15859) authorizing the Secretary of the Navy to transfer to the Fleet Naval Reserve any enlisted man of the naval service with 16 or more years' naval service; to the Committee on Naval Affairs.

By Mr. SISSON: A bill (H. R. 15860) providing for the purchase of farm loan bonds; to the Committee on Banking and Currency.

By Mr. HILL: Joint resolution (H. J. Res. 455) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. SWEET: Joint resolution (H. J. Res. 456) authorizing and directing the accounting officers of the Treasury to allow credit to the disbursing clerk of the Bureau of War Risk Insurance in certain cases; to the Committee on Interstate and Foreign Commerce.

By Mr. HUDSPETH: Resolution (H. Res. 650) authorizing the Committee on Agriculture to make certain investigations of the Wool Administration, War Department, regarding wool taken over by the Government in Texas during the late war; to the Committee on Rules.

By Mr. RAKER: Memorial of the Legislature of California, relating to the protection of the quicksilver-mining industry; to the Committee on Ways and Means.

Also, memorial of the Legislature of California, relative to the naturalization and property rights of aliens; to the Committee on Immigration and Naturalization.

Also, memorial of the Legislature of California, relating to the protection of the poultry industry; to the Committee on Ways and Means.

By Mr. STINESS: Memorial of the General Assembly of Rhode Island, requesting of the Subcommittee on Appropriations of the United States House of Representatives a sufficient sum for the proper and efficient maintenance of the United States Naval Training Station, Newport, R. I.; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DOREMUS: A bill (H. R. 15861) to confirm private claim No. 61 in the township of Ecorse, Wayne County, Mich.; to the Committee on the Public Lands.

By Mr. DYER: A bill (H. R. 15862) granting a pension to Josephine Holmes; to the Committee on Pensions.

By Mr. HARRELD: A bill (H. R. 15863) granting an increase of pension to Olive G. Hughes; to the Committee on Invalid Pensions.

By Mr. HILL: A bill (H. R. 15864) for the relief of Chancey W. Peak; to the Committee on War Claims.

By Mr. RICKETTS: A bill (H. R. 15865) granting a pension to Frances Melcher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15866) granting a pension to James Campbell; to the Committee on Invalid Pensions.

By Mr. RUBEY: A bill (H. R. 15867) granting a pension to Martha Baker; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 15868) granting an increase of pension to William M. Lillard; to the Committee on Pensions.

By Mr. WOOD of Indiana: A bill (H. R. 15869) granting a pension to Jennie Hutton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15870) granting a pension to Charles Dilden; to the Committee on Pensions.

Also, a bill (H. R. 15871) granting a pension to Francis M. Washburn; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5164. By Mr. CURRY of California: Petition of residents of Sacramento, Calif., protesting against the Fess-Capper bill; to the Committee on Education.

5165. Also, petition of the Retail Grocers' Association of Stockton, Calif., opposing tax on sales; to the Committee on Ways and Means.

5166. By Mr. DARROW: Memorial of the Philadelphia Board of Trade, opposing Senate bill 4711, requiring all ships sailing under a foreign flag and entering the ports of the United States or clearing therefrom to have a permit from the United States Shipping Board; to the Committee on the Merchant Marine and Fisheries.

5167. By Mr. DYER: Petition of the Chamber of Commerce of Oklahoma City, Okla.; J. H. Winchester & Co., National Bottle Manufacturers' Association, Atlantic Coast Shipbuilders' Association, New York City; and Northwestern Towboat Owners' Association, of Seattle, Wash., favoring House bill 13591, regarding collisions by vessels belonging to the United States; to the Committee on the Judiciary.

5168. Also, petition of B. M. Schlueter, St. Louis, Mo., opposing House bill 14657 and Senate bill 4561; to the Committee on Agriculture.

5169. Also, petition of Consolidated Saw Mills Co., Hyman-Michaels Co., Steel & Hibbard Lumber Co., and the Shapleigh Hardware Co., all of St. Louis, Mo., urging passage of the Winslow bill, making payments to railroads; to the Committee on Interstate and Foreign Commerce.

5170. Also, petition of C. P. Hutchinson, Webster Grove, Mo., favoring the Smith-Towner bill; to the Committee on Education.

5171. Also, petition of Philip Schwartz, St. Louis, Mo., opposing House bill 14657 and Senate bill 4561; to the Committee on Agriculture.

5172. Also, petition of Leppert-Roos Fur Co., of St. Louis, Mo., favoring the repeal of revenue legislation; to the Committee on Ways and Means.

5173. Also, petition of the Midget Consolidated Gold Mining Co., of St. Louis, Mo., urging relief for the gold-mining industry; to the Committee on Ways and Means.

5174. Also, petition of the Chamber of Commerce of Kansas City, Mo., recommending changes in legislation with a view to improving the economic condition of the country; to the Committee on Ways and Means.

5175. Also, petition of William R. Warner & Co., St. Louis, Mo., opposing the granting of water rights in national parks; to the Committee on the Public Lands.

5176. Also, petition of Louis Wessbecher, St. Louis, Mo., protesting against the occupation of German territory by French colonial troops; to the Committee on Foreign Affairs.

5177. Also, petition of Neidringhaus Metalware Corporation, St. Louis, Mo., favoring passage of Senate bill 4204, to prohibit interference with interstate commerce; to the Committee on Interstate and Foreign Commerce.

5178. By Mr. GALLIVAN: Petition of the Consumers' League of Massachusetts, favoring the Gronna bill (S. 3944); to the Committee on Agriculture.

5179. Also, petition of Irene Glenn, of Boston, Mass., favoring the Smith-Towner bill; to the Committee on Education.

5180. Also, petition of Irving C. Tomlinson, C. S. B., and Alice P. Tapley, of Boston, Mass., favoring House bill 14854 and Senate bill 4593, to the Committee on Agriculture.

5181. Also, petition of John F. Carey, of Roxbury, Mass., opposing the Smith-Towner bill; to the Committee on Education.

5182. Also, petition of John L. Saltonstall, of Boston, Mass., and L. D. Knowlton, N. R. O., favoring an appropriation of \$500,000 for the Naval Reserve Force; to the Committee on Appropriations.

5183. Also, petition of W. L. Montgomery & Co., of Boston, Mass., protesting against an import duty on hides; to the Committee on Ways and Means.

5184. Also, petition of Babsons Statistical Organization (Inc.), of Wellesley Hills, Mass., favoring an appropriation for the Shipping Board which will enable it to finish vessels which are under construction and are nearly built; to the Committee on Appropriations.

5185. Also, petition of the National Association of United States Customs Inspectors of Boston, Mass., favoring H. R. 15089 and S. 4693; to the Committee on Ways and Means.

5186. By Mr. KENNEDY of Rhode Island: Resolution of the General Assembly of the State of Rhode Island, requesting a sufficient appropriation for the proper and efficient maintenance of the United States Naval Training Station at Newport, R. I.; to the Committee on Appropriations.

5187. Also, resolutions of Newport (R. I.) Chamber of Commerce, urging adequate appropriation for maintenance of Newport Naval Training Station; to the Committee on Appropriations.

5188. By Mr. LAMPERT: Refinancing plan for United States Government, by R. D. Wynn, president and general manager of the Molle Typewriting Co., Oshkosh, Wis., January 24, 1921; to the Committee on Ways and Means.

5189. By Mr. LINTHICUM: Petition of Robert F. Leach, jr., and Women's Civic League, Baltimore, regarding appropriation for social hygiene work; to the Committee on Appropriations.

5190. Also, petition of Dr. Lillian Welsh, Baltimore, regarding Smith-Towner bill; to the Committee on Education.

5191. Also, petition of R. W. Baldwin, Savage, Md., regarding S. 4828; to the Committee on Interstate and Foreign Commerce.

5192. Also, petition of the Women's Civic League, Baltimore, regarding H. R. 15228; to the Committee on Reform in the Civil Service.

5193. Also, petition of Fehsenfeld Cigar Co., Baltimore, Md., regarding tax on tobacco; to the Committee on Ways and Means.

5194. Also, petition of Mrs. Mary H. Tormey, Baltimore, regarding H. R. 14961; to the Committee on Interstate and Foreign Commerce.

5195. By Mr. LUFKIN: Petition of members of Elizabeth H. Whittier Club, Amesbury, Mass., expressing their hope and belief that American citizenship may be conferred on the American Indians; to the Committee on Indian Affairs.

5196. By Mr. NEWTON of Minnesota: Petition of Mrs. Emma S. Seale and sundry other citizens, of Minneapolis, Minn., opposing the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

5197. By Mr. O'CONNELL: Petition of the Chamber of Commerce of the State of New York, favoring Senate bill 4504 and House bill 14461 as amended; to the Committee on Immigration and Naturalization.

5198. Also, petition of Henry E. Leonard, of Brooklyn, N. Y., and the Isle of Pines, protesting against a higher duty on citrus fruits; to the Committee on Ways and Means.

5199. By Mr. SHERWOOD: Petition of District Lodge, No. 57, of the International Association of Machinists, Toledo, Ohio, favoring the resumption of free and unrestricted commercial exchange and traveling privileges with Soviet Russia; to the Committee on Foreign Affairs.

5200. By Mr. STINESS: Petition of the Chamber of Commerce of Newport, R. I., urging that the Subcommittee on Naval Appropriations of the Committee on Appropriations provide a sum sufficient for the proper maintenance of the Newport Training Station; to the Committee on Appropriations.

5201. By Mr. TAGUE: Petition of Loose-Wiles Co., the Loose-Wiles Biscuit Co., and the Windsor Confectionery Co., all of Boston, Mass., favoring a 1 per cent gross sales tax on candies; to the Committee on Ways and Means.

5202. Also, petition of the Public Education Association of Worcester, Mass., favoring the Fess-Capper bill; to the Committee on Education.

5203. Also, petition of Leas & McVitty Co., of Boston, Mass., protesting against an import duty on hides; to the Committee on Ways and Means.

5204. By Mr. TEMPLE: Petition of the Civic Club of Midland, Pa., protesting against the passage of the Yellowstone National Park bill (H. R. 12466); to the Committee on the Public Lands.

5205. Also, petition of the Woman's Club of Ambridge, Pa., in support of the Sheppard-Towner bill (H. R. 10925), the Smith-Towner bill (H. R. 7), and protesting against the passage of the Yellowstone National Park bill (H. R. 12466); to the Committees on Education, Interstate and Foreign Commerce, and the Public Lands.

5206. Also, petition of the Woman's Club of Woodlawn, Pa., protesting against the passage of the Yellowstone National Park bill (H. R. 12466); to the Committee on the Public Lands.

5207. Also, petition of the Woman's Club of Woodlawn, Pa., supporting the Smith-Towner bills (S. 1107; H. R. 7); to the Committee on Education.

5208. Also, petition of the Woman's Club of Woodlawn, Pa., supporting the Sheppard-Towner bills (S. 3259; H. R. 10925); to the Committee on Interstate and Foreign Commerce.

5209. Also, petition of the Civic Club of Midland, Pa., in support of the Sheppard-Towner bills (S. 3259; H. R. 10925); to the Committee on Interstate and Foreign Commerce.

5210. Also, petition of the Civic Club of Midland, Pa., in support of the Smith-Towner bills (S. 1107; H. R. 7); to the Committee on Education.

5211. By Mr. THOMPSON: Petition of the committee on law, Van Wert (Ohio) Lodge, No. 667, International Association of Machinists, asking for the appointment of national boards of adjustment to handle controversies between the railroads and their employees; to the Committee on Interstate and Foreign Commerce.

5212. By Mr. YATES: Petition of Mr. and Mrs. Roy E. Peters, favoring the Fess-Capper bill (H. R. 12652); to the Committee on Education.

5213. By Mr. YOUNG of North Dakota: Petition of the Woman's Club of Barton, N. Dak., expressing disapproval of the Smith bill (H. R. 12466); to the Committee on the Public Lands.

5214. Also, petition of the faculty of the State Normal School of Dickinson, N. Dak., and Woman's Club of Barton, N. Dak., favoring the Smith-Towner bill; to the Committee on Education.

5215. By Mr. ZIHLMAN: Petition of the Merchants' & Manufacturing Association of Baltimore, opposing Senate bill 3390, the Muscle Shoals bill; to the Committee on Appropriations.

5216. Also, petition of the Charles County Sheep Growers' Association, La Plata, Md., favoring the passage of the French-Capper truth in fabric bill (H. R. 11641); to the Committee on Interstate and Foreign Commerce.

SENATE.

MONDAY, January 24, 1921.

(Legislative day of Tuesday, January 18, 1921.)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

Mr. SMOOT. Mr. President, at the time the recess was taken on Saturday the Senator from Iowa [Mr. KENYON] was occupying the floor on the packer's bill (S. 3944), and if he desires to go on at this time I have no objection, but if not I should like to proceed with what I shall have to say in relation to the bill, whichever course the Senator from Iowa prefers.

Mr. KENYON. I have no desire at all to speak further on the bill.

Mr. SMOOT. Then I shall proceed.

Mr. KENYON. Does the Senator desire a quorum?

Mr. GRONNA. I hope that no Senator will call for a quorum. I shall be glad to proceed if the Senator from Utah is not desirous of doing so at this time.

Mr. SMOOT. It seems to me that the bill is of sufficient importance and means so much not only to the packers of the country but to the business interests of the country generally, Senators ought to be willing to listen to-day to what is said in relation to the measure.

Mr. KENYON. The Senator does not expect that they will?

Mr. SMOOT. I express the hope that they will. I know that in the past they have not done so. If Senators realized what the bill means—I do not mean to the packers, but to the busi-

ness interests of the United States—I think they would listen to the debate to-day.

Mr. GRONNA. I wish to say to the Senator from Utah that I had intended to speak on Saturday, but gave way to others.

Mr. SMOOT. So did I.

Mr. GRONNA. There are certain statements which I should like to make for the Record with reference to the pending bill.

Mr. SMOOT. So far as I am concerned, I am not going to take all the time, I will say to the Senator.

Mr. CURTIS. If the Senator from Utah thinks there ought to be a quorum here, I suggest the absence of a quorum.

The VICE PRESIDENT. Does the Senator from Utah object?

Mr. SMOOT. No; I do not object.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Hale	Knox	Sterling
Ball	Harris	La Follette	Sutherland
Brandegee	Harrison	McCumber	Trammell
Capper	Henderson	McLean	Underwood
Curtis	Johnson, Calif.	Moses	Wadsworth
Dial	Jones, Wash.	Nelson	Walsh, Mass.
Dillingham	Kellogg	Page	Walsh, Mont.
Edge	Kendrick	Robinson	Warren
Elkins	Kenyon	Sheppard	Willis
Gooding	Keyes	Sherman	
Gronna	Kirby	Smoot	

Mr. HARRISON. I wish to announce that the Senator from Oregon [Mr. CHAMBERLAIN] and the Senator from South Dakota [Mr. JOHNSON] are absent by reason of illness.

I wish also to announce that the Senator from Virginia [Mr. SWANSON] and the Senator from Kentucky [Mr. BECKHAM] are absent on official business.

The VICE PRESIDENT. Forty-two Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The reading clerk called the names of the absent Senators, and Mr. OVERMAN and Mr. PHIPPS answered to their names when called.

Mr. POMERENE, Mr. SMITH of South Carolina, Mr. FRANCE, Mr. CALDER, Mr. SPENCER, Mr. FERNALD, Mr. HITCHCOCK, Mr. NEW, Mr. PITTMAN, Mr. FLETCHER, Mr. MCKELLAR, Mr. TOWNSEND, Mr. SMITH of Arizona, Mr. LENROOT, and Mr. CULBERSON entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty-nine Senators have answered to the roll call. There is a quorum present.

Mr. JOHNSON of California. Will the Senator from Utah yield to me for a moment?

Mr. SMOOT. I yield.

Mr. JOHNSON of California. Upon the bill which is pending before the Senate, namely, the bill (H. R. 5726) to fix the compensation of certain employees of the United States, I ask unanimous consent that a vote may be taken, say, to-morrow afternoon at 4 o'clock, or on Wednesday afternoon. I am not particular about the time; but I ask unanimous consent that a vote may be taken upon that bill at a time fixed, and I suggest to-morrow, Tuesday, at 4 p. m.

Mr. DIAL. Mr. President, I object.

MEAT-PACKING INDUSTRY.

Mr. SMOOT. I ask that Senate bill 3944, known as the packers' bill, be laid before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3944) to create a Federal live-stock commission, to define its powers and duties, and to stimulate the production, sale, and distribution of live stock and live-stock products, and for other purposes.

Mr. SMOOT. Mr. President, in the short time that I shall occupy the attention of the Senate on this bill I desire to point out as succinctly as possible the absolute facts in relation to the report made by the Federal Trade Commission and to answer in detail, if I can, some of the statements made in behalf of the bill.

Mr. President, on December 10 the distinguished Senator from Iowa [Mr. KENYON] delivered an elaborate address in support of Senate bill 3944, known as the Gronna bill, to create a Federal live-stock commission, and for other purposes.

As pointed out by him, numerous bills have been introduced during the past two years on the subject of packer regulation. The Federal Trade Commission has made a report of its ex parte investigation of the meat-packing industry, covering several volumes, likewise various committees in both branches of Congress have held exhaustive hearings on the subject.

It would be a monumental task for any Senator to undertake to analyze and discuss the report of the Federal Trade